



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING
CITY HALL
TUESDAY, FEBRUARY 19, 2013
6:00 O'CLOCK P.M.**

I. Meeting Called to Order

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

- A. Reading of a Resolution entitled "RESOLUTION NO._____, 2013, RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO EXECUTE STATEMENT OF BENEFIT FORMS IN CONJUNCTION WITH AN APPLICATION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ." (Tipton Park Offices, Inc.) Chris Schilling.
- B. Second Reading of an Ordinance entitled "ORDINANCE NO._____, 2013, AN ORDINANCE AMENDING THE FLOOD HAZARD AREA STANDARDS OF THE COLUMBUS & BARTHOLOMEW COUNTY ZONING ORDINANCE FOR THE JURISDICTION OF THE CITY OF COLUMBUS." Jeff Bergman.
- C. Second Reading of an Ordinance entitled "ORDINANCE NO._____, 2013, AMENDED FROM ORDINANCE NO. 31, 2012, AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2013." Jeff Logston.
- D. Second Reading of an Ordinance entitled "ORDINANCE NO._____, 2013, AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS BETWEEN DEPARTMENTS FOR THE BUDGET YEAR 2013." Jeff Logston.

III. New Business Requiring Council Action

- A. Reading of a Resolution entitled "RESOLUTION NO. _____, 2013, RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ. AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (Toyota Industrial Equipment Manufacturing, Inc.) Chris Schilling.
- B. Public Hearing and First Reading of an Ordinance entitled "ORDINANCE NO. _____, 2013, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2013." (Motor Vehicle Highway) Jeff Logston.

IV. Other Business

- A. Standing Committee and Liaison Reports
- B. Discussion Items:
 - 1.) Ethics Ordinance – Kelly Benjamin
 - 2.) Code of Conduct Resolution – Kelly Benjamin
- C. Next regular meeting is scheduled for Tuesday, March 5, 2013 at 6:00 o'clock P.M. in City Hall.
- D. Adjournment.

RESOLUTION NO. _____, 2013

**RESOLUTION AUTHORIZING THE MAYOR AND
THE CLERK-TREASURER TO EXECUTE STATEMENT
OF BENEFIT FORMS IN CONJUNCTION WITH
AN APPLICATION FOR TAX ABATEMENT IN
A PREVIOUSLY DESIGNATED ECONOMIC
REVITALIZATION AREA PURSUANT
TO INDIANA CODE 6-1.1-12.1, *ET. SEQ.***

WHEREAS, the Common Council of the City of Columbus, Indiana, has previously designated, through prior City of Columbus, Common Council Resolution 12-84, certain portions of the City of Columbus, Indiana, to be known as the “Downtown” Economic Revitalization Area as contemplated and defined pursuant to INDIANA CODE 6-1.1-12.1-1, *et. seq.*; and

WHEREAS, INDIANA CODE 6-1.1-12.1, *et seq.* provides that the Common Council of the City of Columbus, Indiana, approve the statement of benefits forms associated with the application in conjunction with personal and real property tax abatement areas previously designated as an economic revitalization area; and

WHEREAS, **Tipton Park Offices, Inc.** desires and seeks tax abatement associated with the redevelopment or rehabilitation of its real property as contemplated and defined by INDIANA CODE 6-1.1-12.1-1, *et. seq.*; and

WHEREAS, the Common Council of the City of Columbus, Indiana, finds that:

- a. The estimate of the value of the redevelopment or rehabilitation is reasonable for projects of that nature;
- b. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property;
- c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property;
- d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property;
- e. The deduction allowed for real property pursuant to INDIANA CODE 6-1.1-12.1- 3 and 4 shall be allowed for either three (3), six (6) or ten (10) years;
- f. The totality of benefits is sufficient to justify the deduction; and

WHEREAS, the Common Council of the City of Columbus, Indiana, deems it to be in the best interest of the City of Columbus, Indiana, in order to stimulate economic development and provide for additional jobs, that such real property tax abatement be granted; and

WHEREAS, **Tipton Park Offices, Inc.** has submitted for purposes of review by the Common Council of the City of Columbus, Indiana, a statement of benefits form, a copy of which is attached hereto and made a part hereof as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Columbus, Indiana, that:

1. The Common Council of the City of Columbus, Indiana, finds that:
 - a. The estimate of the value of the proposed redevelopment or rehabilitation is reasonable for projects of that nature; and
 - b. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property;
 - c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property;
 - d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property;
 - e. The deduction allowed for real property pursuant to INDIANA CODE 6-1.1-12.1- 3 and 4 shall be allowed for _____ years;
 - f. The totality of benefits is sufficient to justify the deduction;
2. The Mayor of the City of Columbus, Indiana, and the Clerk-Treasurer of the City of Columbus, Indiana are hereby authorized by the Common Council of the City of Columbus, Indiana, to execute the statement of benefit form attached hereto as **Exhibit A** for purposes of facilitating the real property tax abatement of the applicant herein.

Resolution No. _____, 2013
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ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA, on this _____
day of February 2013, by a vote of _____ ayes and _____ nays.

Presiding Officer of the
Common Council

ATTEST:

Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this _____ day
of February 2013 at _____ o'clock _____ .M.

Clerk-Treasurer

Approved and signed by me this _____ day of February 2013, at
_____ o'clock _____ .M.

Mayor of the City of
Columbus, Indiana



STATEMENT OF BENEFIT'S REAL ESTATE IMPROVEMENT'S

State Form 51767 (R3 / 12-11)
Prescribed by the Department of Local Government Finance

20__ PAY 20__

FORM SB-1 / Real Property

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Eligible vacant building (IC 3-1.1-12.1-4.8)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
- Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation. BEFORE a deduction may be approved.
- To obtain a deduction, application Form 322 ERA/VRE or Form 322 ERA/VBD, whichever is applicable, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor, if any, or the county assessor.
- Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.2(j)).
- The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property and under IC 6-1.1-12.1-4.8(1) for vacant buildings apply to any statement of benefits approved on or after July 1, 2000, unless an alternative deduction schedule is adopted by the designating body (IC 6-1.1-12.1-17). The schedules effective prior to July 1, 2000, shall continue to apply to a statement of benefits filed before July 1, 2000.

SECTION 1		TAXPAYER INFORMATION	
Name of taxpayer Tipton Park Offices, Inc.			
Address of taxpayer (number and street, city, state, and ZIP code) 123 2nd Street, Columbus, Indiana 47201			
Name of contact person Bill Becker		Telephone number (812) 372-1143	E-mail address wbecker@iquest.net
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT	
Name of designating body Common Council of City of Columbus		Resolution number	
Location of property Bartholomew		DLGF taxing district number 005	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) See Addendum		Estimated start date (month, day, year) 04/15/2013	
		Estimated completion date (month, day, year) 10/15/2013	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT	
Current number 0.00	Salaries \$0.00	Number retained 0.00	Salaries SEE ADDENDUM
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT	
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		REAL ESTATE IMPROVEMENTS	
Current values		ASSESSED VALUE	
Plus estimated values of proposed project			
Less values of any property being replaced			
Net estimated values upon completion of project			
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY TAXPAYER	
Estimated solid waste converted (pounds)		Estimated hazardous waste converted (pounds)	
Other benefits			
SECTION 6		TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.			
Signature of authorized representative William Becker		Date signed (month, day, year) 1-15-13	

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1-1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☐ No
 3. Occupancy of a vacant building ☐ Yes ☐ No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify): _____.
- E. The deduction is allowed for _____ years* (see below).
- F. Did the designating body adopt an alternative deduction schedule per IC 6-1-1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the alternative deduction schedule to this form.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Attested by (signature and title of attester)	Designated body	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1-12-12.1-4.

- A. For residentially distressed areas, the deduction period may not exceed five (5) years.
- B. For redevelopment and rehabilitation or real estate improvements:
1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years.
 2. If the Economic Revitalization Area was designated after June 30, 2000, the deduction period may not exceed ten (10) years.
- C. For vacant buildings, the deduction period may not exceed two (2) years.

ADDENDUM
TO
STATEMENT OF BENEFITS FOR REAL ESTATE IMPROVEMENTS

Section 1:

The project involves the complete rehabilitation of the former Goodyear building located at 123 2nd Street, Columbus, Indiana 47201 into a first class medical office facility. The project includes a new exterior façade for the building consistent with a first class medical facility and completely gutting and remodeling the interior of the building. The cost of the project will be

Section 3:

Estimated number of new employees to be added to this facility. Their position, hourly rate and value of benefits package is set forth below:

Position	FTE's	Hourly Rate	Est. Benefits/Hour
Physicians	2		
Medical Assistants	5		
Office Manager	1		
Total	8		

Total projected annual salaries = \$587,600

Potential Future Growth - adding a physician and related staff plus adding x-ray and related staff.

Position	FTE's	Hourly Rate	Est. Benefits/Hour
Physicians	1		
Medical Assistants	2		
X-ray Techs	1		
Total	4		

Total projected annual salaries - potential future growth = \$



MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman
on behalf of the Columbus Plan Commission

DATE: January 28, 2013

RE: Zoning Ordinance Flood Hazard Area Standards Revisions

At its December 12, 2012 meeting the Plan Commission considered a series of revisions to the Flood Hazard Area Standards of the Zoning Ordinance. The Commission has forwarded those revisions to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

These revisions are primarily the result of a 1-year effort by the joint City-County Flood Regulation Study Committee. This group of elected officials, appointed officials, and community volunteers was charged with reviewing all aspects of the way the City of Columbus and Bartholomew County regulated new development in floodplains and recommending any needed changes. The Committee recommended 4 specific changes to these regulations. The text of the Committee's recommendations and a table comparing those recommendations to the existing regulations are attached for your reference.

In addition to the Zoning Ordinance changes that respond to the recommendations of the Flood Regulation Study Committee, the currently proposed revisions also incorporate updates to the Indiana Department of Natural Resources model regulations (which the City is required to follow, at a minimum) as well as a variety of other clarifications and corrections.

To assist in your review and discussion of the revisions the Planning Department has created both (1) an ordinance suitable for adoption that lists each change and (2) a color-coded revised text of the Flood Hazard Area Standards. Please note the description of the color coding on the first page of the text (page 4-10).

Please feel free to contact me with any questions you may have.

ORDINANCE NO.: _____, 2013

**AN ORDINANCE AMENDING THE FLOOD HAZARD AREA STANDARDS OF THE
COLUMBUS & BARTHOLOMEW COUNTY ZONING ORDINANCE FOR THE JURISDICTION
OF THE CITY OF COLUMBUS**

**Favorably Recommended by
Columbus Plan Commission General Resolution 2012-01**

WHEREAS, on March 18, 2008 the Columbus Common Council passed Ordinance No. 13, 2008 adopting a replacement zoning ordinance, including zoning maps, for the jurisdiction of the City of Columbus; and

WHEREAS, the replacement zoning ordinance also includes the flood hazard area standards for the community; and

WHEREAS, the City of Columbus is required to adopt the minimum flood hazard area standards specified by the Indiana Department of Natural Resources in order for the City to participate in the National Flood Insurance Program and thereby make low-cost flood insurance available to local property owners; and

WHEREAS, local communities are permitted and encouraged by the Indiana Department of Natural Resources and the Federal Emergency Management Agency to adopt flood hazard area standards that exceed the minimum requirements based on the needs and circumstances of each community; and

WHEREAS, the City of Columbus has a history of adopting flood hazard area standards that exceed the required minimums in response to the circumstances and preferences of the community; and

WHEREAS, the City of Columbus Plan Commission, in partnership with the Bartholomew County Plan Commission, has convened a committee of local residents and elected and appointed officials to review the currently adopted flood hazard area standards and recommend any needed revisions; and

WHEREAS, after a one-year study process that included multiple public input opportunities and presentations on the various aspects of flooding and floodplain regulations the committee has recommended revisions to the flood hazard area regulations that more accurately represent the circumstances and preferences of the community and the local position on addressing the long-term risks from flooding; and

WHEREAS, this ordinance is intended to act on the committee's recommendations through appropriate revisions to the zoning ordinance's flood hazard area standards as well as address other needed clarifications and updates; and

WHEREAS, this set of zoning ordinance revisions was prepared for the purposes described by IC 36-7-4-601(c); including (1) the securing of adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways, and (3) promoting the public health, safety, comfort, morals, convenience, and general welfare; and

WHEREAS, the City of Columbus Comprehensive Plan, adopted in a series of elements from 1999 through 2011, provides the policy guidance for the creation and revision of the zoning ordinance, including the flood hazard area standards; and

WHEREAS, the Columbus Plan Commission did, on December 12, 2012, hold a legally advertised public hearing on the zoning ordinance revisions and has certified a favorable recommendation for their adoption to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria provided by IC 36-7-4-603; including (1) the Comprehensive Plan, (2) the current conditions in each district, (3) the most desirable use for land in each district, (4) the conservation of property values, and (5) responsible growth and development.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Zoning Ordinance Flood Hazard Area Standards Amended

The flood hazard area standards of the Columbus & Bartholomew County Zoning Ordinance, initially adopted as Ordinance 13, 2008, are amended for the jurisdiction of the City of Columbus as follows:

1. **IDNR Model Ordinance Updates:** Updates to the Indiana Department of Natural Resources model ordinance indicating the minimum flood hazard area standards are provided through the following:
 - a. Section 4.7(B) is revised for the term "Elevated Structure" to be defined as follows: "...solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings...".
 - b. Section 4.7(B) is revised to include the term "Flood Prone Area" which is defined as follows: "means any land area acknowledged by a community as being susceptible to inundation by water from any source. (see "Flood")."
 - c. Section 4.7(B) is revised for the term "Lowest Floor" to exclude item "e", which is deleted with item "f" organized as the new item "e". Further, the new item "e" is revised to read as follows: "...minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls having a total net area..." and "The bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher, and,".
 - d. Section 4.7(B) is revised for the term "Special Flood Hazard Area (SFHA)" to be defined as follows: "...on the Flood Insurance Rate Map of the City of Columbus, Indiana prepared by..." and "...on the Flood Insurance Rate Map of the County of Bartholomew, Indiana (Unincorporated Areas) prepared by...".
 - e. Section 4.7(C) is reorganized and revised as follows: subsection (2) becomes subsection (4), subsection (3) becomes subsection (5), subsection (5) becomes subsection (7), subsection (6) becomes subsection (8), subsection (7) becomes subsection (2), subsection (8) becomes subsection (6); subsection (4) is deleted; a replacement subsection (3) is added and reads "Floodplain Development Permit: A Floodplain Development Permit shall be required in conformance with the provisions of this Chapter prior to the commencement of any development activities in areas of special flood hazard". Also, in Section 4.7(B), the definition of "Regulatory Flood" is revised to reference Section 4.7(C)(2).
 - f. Section 4.7(C)(2)(a) is revised to read as follows: "...in the Flood Insurance Study of the City of Columbus, Indiana..."
 - g. Section 4.7(C)(2)(b) is revised to read as follows: "...in the Flood Insurance Study of the County of Bartholomew, Indiana (Unincorporated Areas)..."
 - h. Section 4.7(C)(2)(c) is deleted and replaced with the following: "The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs and 500-year floodplains within the jurisdictions of the City of Columbus and Bartholomew County delineated as an "A Zone" on the FIRMs of the City of Columbus, Indiana and the County of Bartholomew, Indiana (Unincorporated Areas) prepared by the Federal Emergency Management Agency and dated January 5, 1996 and March 15, 1982 respectively shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile (or an engineering analysis if the drainage area for the subject site is less than one square mile (see Section 4.7(K))."
 - i. Section 4.7(C)(2)(d) is added as follows: "In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe

limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile (or an engineering analysis if the drainage area for the subject site is less than one square mile (see Section 4.7(K))."

- j. Section 4.7(C)(9) is revised to add the following subsections: "(a) The floodplain administrators shall inform the property owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended" and "(b) Nothing in this Chapter shall prevent the City of Columbus or Bartholomew County from taking any other lawful action to prevent or remedy any violations. All costs connected with that action shall be reimbursed by the person or persons responsible."
- k. Section 4.7(D)(1) is deleted with subsections (a) and (b) relocated in their entirety as subsections 4.7(C)(3)(a) and (b). The corresponding margin note is also relocated to the appropriate page containing the relocated provisions. Also, subsections 4.7(D)(2) and (3) are renumbered as appropriate.
- l. Section 4.7(D)(3) (renumbered as subsection 2 as described above) is revised to relocated subsection (j) as subsection (h) with present subsections (h) and (i) reordered as appropriate.
- m. Section 4.7(E) is revised to read as follows: "In all SFHAs, known flood prone areas and 500-year floodplain areas...". Further, Section 4.7(E) is revised to delete the 2nd and 3rd sentences and relocate them respectively as subsections 4.7(E)(9) subtitled as "Alteration of Structures in Compliance" and (10) "Alteration of Structures not in Compliance".
- n. Section 4.7(E)(5) is revised to read as follows: "Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed so as to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG."
- o. Section 4.7(F)(1)(b) is deleted and replaced with the following:
 - b. Addition or improvement to any existing structure:
 - i. where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land);
 - ii. with a previous addition or improvement constructed since the adoption of the first floodplain ordinance for the applicable jurisdiction (City or County).
- p. Section 4.7(F)(1)(c) is revised to read as follows: "...to a damaged structure where the costs of restoring the structure to it's before damaged condition equals or exceeds...".
- q. Section 4.7(F)(3) is revised to read as follows: "...or non-residential structure (or manufactured home) shall either have the lowest floor..." and "...or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 4.7(F)(4). Structures located in all..."
- r. Section 4.7(F)(3)(a) is revised to reference Section 4.7(D)(2)(j).
- s. Section 4.7(F)(4) is deleted and replaced with the following:
 - 2. Elevated Structures: New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG. Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to

allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:

- a. Provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area).
 - b. The bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher.
 - c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - d. Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
 - e. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
 - f. The interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade.
- j. Section 4.7(F)(5)(a) is revised to read as follows: "...of the maximum density obtainable with either the Standard or Modified Proctor Test method."
 - k. Section 4.7(F)(6) is deleted and all subsequent subsections are renumbered as appropriate.
 - l. Section 4.7(F)(7) (renumbered as subsection (6) as described above) is revised to include a new subsection (c) as provided below and with the subsequent subsections renumbered as appropriate.
 - c. Manufactured homes with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Section 4.7(F)(4).
 - m. Chapter 4.7 is revised to include a new subsection (L) which reads as below, and all subsequent sections are renumbered as appropriate.
 - L. Standards for Other Flood Prone Areas: All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet general standards as required per Section 4.7(E).
 - n. Section 4.7(M)(3)(f) (renumbered as subsection (N)(3)(f) as described above) is revised to add the following: "Historic structures are those listed individually on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures."
 - o. Section 4.7(N)(3)(g) is revised to reference Section 4.7(N).
2. Flood Regulation Study Committee Recommendations: The recommendations of the Columbus & Bartholomew County Flood Regulation Study Committee are implemented through the following:
 - a. Section 4.7(H) is deleted and replaced with the following:
 - H. **Standards for Critical and Potentially Harmful Facilities:** Critical facilities are those for which even the slightest risk from flooding is too great given the importance of the facility in responding to a flood event or the complexities of evacuating the facility's occupants during a flood event. Potential harmful facilities are those that include chemicals or other substances that are potentially harmful to water quality or public health in the event they are inundated by and mixed with flood waters. The Floodplain Administrators may determine if any uses not specifically listed below are also either a critical or potential harmful facility and regulate them accordingly. The determination of

the Floodplain Administrators may be appealed to the Board of Zoning Appeals through the Administrative Appeal process.

1. **Critical Facilities:** The following critical facilities, including their access driveways, shall be prohibited from locating in the SFHA or 500-year floodplain. The expansion of buildings or other aspects of any of these uses that are pre-existing in an SFHA or 500-year floodplain shall be exempt from this prohibition, provided that all other applicable provisions of this Chapter are met.
 - a. nursing home / assisted living facility.
 - b. animal shelter.
 - c. correctional facility.
 - d. day-care center (child or adult).
 - e. hospital.
 - f. institution for the developmentally disabled / mentally ill.
 - g. police, fire, or rescue station.
 - h. school (grades pre-school through 12).
 2. **Potentially Harmful Facilities:** The following potentially harmful facilities, if permitted or conditional in the underlying zoning district or permitted through a use variance or other similar process, shall also be reviewed as a conditional use in the SFHA or 500-year floodplain for the purpose of scrutinizing plans for containment of all chemicals and other potential water-borne pollutants. The expansion of buildings or other aspects of any of these uses that are pre-existing in a SFHA or 500-year floodplain shall be exempt from this prohibition, provided that all other applicable provisions of this Chapter are met.
 - a. Farm (CFO/CAFO types I and II).
 - b. Sewage Treatment Plant.
 - c. Gas station (and other similar fueling facilities).
 - d. Dry cleaners (commercial).
 - e. Hazardous materials production and/or bulk storage.
 - f. Waste disposal facility.
- b. Section 4.7(I) is revised as follows, with current subsections 4.7(I)(1) through (4) renumbered as 4.7(I)(2)(a) through (d):
- I. **Standards for Identified Floodways:** Located within SFHAs, established in Section 4.7(C)(2), are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and have erosion potential.
 1. **Use Restrictions:** All development and land altering activities, including the construction of new buildings, the placement of fill, and the creation of any other potential obstructions to the flow of floodwater shall be prohibited in all floodways. The following activities and uses shall be exempt from this prohibition, provided that all necessary IDNR approvals are obtained and all other applicable provisions of this Chapter are met:
 - a. Expansion of buildings and uses that are pre-existing in the floodway.
 - b. Construction of buildings and use of pre-existing lots that have been previously, specifically established for development. "Established" is defined as having an approved and unexpired preliminary plat.
 - c. Agricultural uses (pasture land, fields, etc. excluding all structures).
 - d. Wellfields, utility transmission lines and related infrastructure.
 - e. Nature preserve / conservation areas.
 - f. Marinas, boat ramps, fishing piers and other similar water-related recreation facilities.
 - g. Streets, roads, bridges, pedestrian paths, and related infrastructure.
 - h. Mineral extraction operations.
 - i. Flood mitigation projects, regulated drain maintenance, and other drainage improvement projects undertaken by a government entity.
 2. **Review Procedure:** If the site is in an identified floodway and the proposed activity is exempt from the prohibitions provided by Section 4.7(I)(1) above or

permitted through a use variance or other similar process, the Floodplain Administrators shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway.

- c. Section 4.7(F)(1)(b)(i) is revised to read "...the cost of which equals or exceeds 50% of the value..."; Section 4.7(F)(1)(c) is revised to read "...that are valued at more than 50% of the market value of the structure..."; and the "Increased Requirement" margin note associated with these provisions is deleted.
 - d. Section 4.7(B) is revised to include the term "Placement of Fill" which is defined as follows: "The locating on a property of any soil, rocks, or other material or items that has the effect of limiting, altering, or preventing the flow of floodwater. Placement of fill shall not include incidental earthwork associated with replacing flatwork, such as driveways or sidewalks, gardening, and other similar activities." Also, the following note is placed in the margin in proximity to this definition: "Note: The Definition of "Placement of Fill" has been added in support of increased local regulations for floodways".
 - e. Section 4.7(B) is revised for the "Substantial damage" definition to read as follows: "...would equal or exceed 50 percent of the market value..."
 - f. Section 4.7(B) is revised for the "Substantial improvement" definition to read as follows: "...the cost of which equals or exceeds 50 percent of the market value..."
 - g. Section 4.7(B) is revised for the "Critical facility" definition to read as follows: "...police, fire, and emergency response installations."
 - h. Section 4.7(H) is revised to include a margin note that reads as follows: "Increased Requirement: The IDNR model ordinance contains only general standards for critical facilities. The City of Columbus and Bartholomew County have added specific standards for critical facilities and potentially harmful facilities."
 - i. Section 4.7(I) is revised to include a margin note that reads as follows: "Increased Requirement: The IDNR model ordinance does not specify or limit floodway uses or activities. The City of Columbus and Bartholomew County have added limitations on the types of uses and activities permitted in the floodway."
 - j. Section 4.7(I)(2)(b), Section 4.7(K)(1)(b), and Section 4.7(K)(2) are revised so that the references include in each to Section 4.7(H) is changed to Section 4.7(I)(1).
3. Supplemental Haw Creek Regulation Clarifications: The supplemental flood hazard area regulations for the Haw Creek Watershed are clarified through the following:
- a. Section 4.7(M)(1) is revised to read as follows: "...All requirements for structures in the FEMA-identified SFHA and 500-year floodplains established by this Chapter (Chapter 4.7) shall be extended to the base model 500-year inundation limits as well, with the base model 100-year BFE as the basis for determining FPG. In all instances where the current Flood Insurance Rate Maps and Flood Insurance Studies prepared by the Federal Emergency Management Agency and the 500-year flood inundation limits and 100-year flood elevations identified on the base model are in conflict..."
 - b. Section 4.7(M)(2)(b) is revised to read "...will not increase the modeled 500-year flood elevations more than 0.14 foot."
 - c. Section 4.7(M)(2)(b) is revised to add the following:
 - i. The maximum increase in 500-year flood elevations shall apply to all properties, streets, and other off-site locations in the watershed, but shall not apply to the

property on which the development or similar activity is taking place. There shall be no limit to these self-imposed increases in flood elevations.

- ii. Any self-imposed increases in flood elevations on property on which development or similar activity takes place shall not be counted toward calculating the cumulative increase in flood elevations on that same property as a result of development activity undertaken by others. The maximum flood elevation increase refers to the maximum amount of increase that a property owner or owners, over time, can cause to occur on adjacent properties. In no instance shall self-imposed increases prevent adjacent property owners from developing their properties to the maximum extent permitted.
- iii. All calculations of the flood elevation increase shall be rounded to the nearest hundredths of a foot. Non-rounded results equaling 5 thousandths, 5 ten-thousandths, etc. or more shall be rounded up to result in figures in the nearest hundredths of a foot. Similarly, all non-rounded results of less than 5 thousandths, ten-thousandths, etc. shall be rounded down.
- iv. At the time of modeling for any development or similar activity the base model shall be updated to reflect any improved topographic information and shall be adjusted to include any stormwater storage that previously occurred in a structure that is proposed to be protected and therefore no longer available for storage. Any increase in flood elevations that results from removal of stormwater storage from existing structures shall not count toward the maximum flood elevation increase.
- v. All interpretations and calculations not expressly described in this Section shall follow Indiana Department of Natural Resources standards, policies, etc. for the review of development proposed in a floodway.

4. Clarifications & Interpretive Notes: The ordinance language required by the Indiana Department of Natural Resources and local increased regulations are made clearer through the following:

- a. Section 4.7(C)(1) is revised to read as follows: "This Chapter shall apply to all SFHAs and 500-year floodplain areas within the jurisdictions of..." Also, the following note is placed in the margin in proximity to this text: "Increased Requirement: The IDNR model ordinance provides standards for flood hazard reduction in the SFHAs (100-year floodplains) only. This Chapter extends those same regulations (based on the 100-year BFEs and FPGs) to the 500-year flood fringe as well." Also, a similar margin note associated with Section 4.7(F) is deleted.
- b. Section 4.7(C)(2)(a) is revised to read as follows: "...for the studied SFHAs and 500-year floodplains of the City..." and "...shall be as delineated on the flood profiles in the Flood Insurance Study..."
- c. Section 4.7(C)(2)(b) is revised to read as follows: "...of studied SFHAs and 500-year floodplains of the County shall be as delineated on the flood profiles in the Flood Insurance Study..."
- d. Section 4.7(C)(4) is revised to read as follows: "...within the SFHA or 500-year floodplain without full compliance with..." and "...within the SFHA or 500-year floodplain shall hereafter be altered..."
- e. Section 4.7(C)(6) is revised to read as follows: "...between the mapped floodplain on the FIRM and the actual..."
- f. Section 4.7(C)(6)(a) is revised to read as follows: "...in the SFHA or 500-year floodplain and regulated accordingly."
- g. Section 4.7(C)(6)(b) is revised to read as follows: "...shall be considered outside the SFHA or 500-year floodplain and the floodplain regulations will not be applied."
- h. Section 4.7(C)(9) is revised to read as follows: "Failure to obtain a Floodplain Development Permit is the SFHA or 500-year floodplain or failure to comply with..."

- i. Section 4.7(D) is revised to read as follows: "The Planning Director shall be responsible for the implementation of this Chapter with regard to subdivision requests and all construction, development, and land uses for which a Zoning Compliance Certificate is required by this Ordinance. The Chief Code Enforcement Officer shall be responsible for the implementation of this Chapter with regard to all 1 and 2 family residences and all other similar construction, development, and land uses for which a Zoning Compliance Certificate is not required."
 - j. Section 4.7(E) is revised to include a margin note that reads as follows: "Interpretation Note: IDNR has determined that structures that are 400 square feet or less are exempt from the General Standards for Flood Hazard Reduction and intended that exemption to be clear through the text provided in Section 4.7(F)(1)(a). Further, all instances in this Section that refer to "substantial improvements" shall not be construed as applying the definition for that term as provided by this Chapter. As used in this Section the term "substantial improvements" shall mean any alterations, repair, reconstruction or improvements to a structure."
 - k. Section 4.7(F)(1) is revised to read as follows "In addition to the requirements of Section 4.7(E) all applicable structures as described below shall be protected from flood damage..."
 - l. Section 4.7(F)(1) is revised to include a margin note that reads as follows: "Interpretation Note: IDNR interprets Section 4.7(F)(1) as follows: (a) indicates that all new structures with a floor area greater than 400 square feet shall be protected from flood damage below the FPG, (b) indicates that all existing structures over 400 square feet must be altered (elevated or floodproofed) to be protected from flood damage below the FPG at the time any addition is made to that structure if either (i) the cost of the addition equals or exceeds 50% of the value of the existing structure (excluding the land) or (ii) the addition is the second such addition (of any value) made to the structure since the local adoption of floodplain regulations, and (c) indicates that all existing structures over 400 square feet that are damaged (by any cause) and for which reconstruction or repairs will exceed 50% of the value of the structure (excluding the land) shall only be reconstructed or repaired in a manner such that the entire structure is protected from flood damage below the FPG (elevated or floodproofed)."
 - m. Sections 4.7(F)(2) through (4) are revised to include a margin note that reads as follows: "Interpretation Note: IDNR interprets Sections 4.7(F)(2), (3), and (4) to only apply to structures greater than 400 square feet."
 - n. Section 4.7(K)(3) is revised to include a margin note that reads as follows: "Note: The last sentence of Section 4.7(K)(3) has been added to the IDNR model ordinance to clarify responsibility."
 - o. Section 4.7(F)(5)(b) is revised to include a margin note that reads as follows: "Interpretation Note: The IDNR considers the fill requirements contained in Section 4.7(F)(5)(b) to be mandatory. This "should" statement is to be considered as a "shall" statement; a requirement."
 - p. Section 4.7(L) is amended to add the following: "Any other flood prone areas subject to this provision shall be as specifically identified through supplemental floodplain maps adopted by the applicable jurisdiction (City or County, as appropriate)." Also, a margin note is added in association with this section as follows: "Note: The last sentence of Section 4.7(L) was added to the IDNR model for the purpose of clarity."
5. Errors and Omissions: Errors and omissions in the text of the Flood Hazard Area Standards that do not have any effect on the actual content or effect of the regulations are corrected as follows:
- a. Section 4.7(B) is revised for the definition of the term "Accessory Structure" to exclude "(appurtenant structure)".

- b. Section 4.7(B) is revised for the definition of the term "Appeal" to read as follows: "...any provision of this Chapter".
- c. Section 4.7(B) is revised for the definition of the term "Floodplain management regulations" to read as follows: "...means this Chapter and other..."
- d. Section 4.7(B) is revised for the definition of the term "Hardship" to read as follows: "(as related to variances from this Chapter)..."
- e. Section 4.7(B) is revised for the definition of the term "Variance" to read as follows: "...the requirements of this Chapter, with permits construction in a manner otherwise prohibited by this Chapter where specific..."
- f. Section 4.7(B) is revised for the definition of the term "Violation" to read as follows: "...to be fully compliant with this Chapter." and "...of compliance as required by this Chapter is presumed..."
- g. Section 4.7(D)(1)(a)(vii) is revised to read as follows: "...any watercourse will be altered or relocated as a result of..."
- h. Section 4.7(D)(1)(b) is revised to read as follows: "...a certification of the NAVD 88 or NGVD 1929 elevation of the lowest floor..."
- i. Section 4.7(E)(10) is revised to read as follows: "...only if said non-conformity is not further extended or replaced."
- j. Section 4.7(I)(2)(a) is revised to read as follows: "...the provisions of IC 14-28-1 a permit for construction..."
- k. Section 4.7(I)(2)(d) is revised to read as follows: "For all projects involving channel modifications the Floodplain Administrator shall request that..."
- l. Section 4.7(N)(3)(b) is revised to read as follows "...within a floodway subject to Section 4.7(I) or Section 4.7(K)(1)..."
- m. Section 4.7(N)(3)(c) is revised to read as follows "...in a floodway subject to Section 4.7(I) or Section 4.7(K)(1)..."

SECTION 2: Repealer

All ordinances or parts thereof in conflict with this Ordinance shall be repealed to the extent of such conflict.

SECTION 3: Severability

If any provision, or the application of any provision, of this Ordinance is held unconstitutional or invalid the remainder of the Ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 4: Effective Date

This Ordinance shall be effective upon adoption and any publication required by Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2013 at _____ o'clock _____.m., by a vote of _____ ayes and _____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2013 at
_____ o'clock _____.m.

Kristen S. Brown
Mayor of the City of Columbus, Indiana

Note: Participation by the City of Columbus and Bartholomew County in the National Flood Insurance Program (NFIP) requires the adoption of flood hazard regulations that meet certain minimum criteria. This Chapter is based on the Indiana Department of Natural Resources model flood hazard area ordinance, which has been developed to assist local governments in meeting the minimum NFIP criteria. Instances in which this Chapter differs from the IDNR model ordinance have been noted to assist with local administration.

Green Text - IDNR Model Ordinance Revisions

Red Text - Flood Regulation Study Committee Recommendations

Orange Text - Supplemental Haw Creek Regulation Clarifications

Blue Text - General Clarifications & Interpretive Notes

Purple Text - Minor Errors & Omissions

4.7 Flood Hazard Area (FH-OL)

A. **Authority & Purpose:** The Indiana Legislature has in IC 36-7-4 and IC 14-28-4 granted the power to local government units to control land use within their jurisdictions. Therefore, the City of Columbus and Bartholomew County adopt the following floodplain management regulations.

1. **Findings of Fact:**

- a. **Flood Hazard Identified:** The flood hazard areas of the City of Columbus and Bartholomew County are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b. **Flood Hazard Causes:** Causes for flood losses include the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

2. **Purpose:** It is the purpose of this Chapter to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities;
- b. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- d. Control filling, grading, dredging, and other development which may increase erosion or flood damage;
- e. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and,
- f. Make federally subsidized flood insurance available for structures and their contents in the City of Columbus and Bartholomew County by fulfilling the requirements of the National Flood Insurance Program.

3. **Objectives:** The objectives of this Chapter are:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;

4.7 Flood Hazard Area (FH-OL) (cont.)

- c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains;
- f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and;
- g. To ensure that potential homebuyers are notified that property is in a flood area.

B. Definitions: Unless specifically defined below, words or phrases used in this Chapter shall be defined by Article 14 of this Ordinance and interpreted so as to give them the meaning they have in common usage and to give this Chapter its most reasonable application.

A zone: means portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions are presented below:

Zone A: Areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.

Zone AE and A1-A30: Areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)

Zone AO: Areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

Zone AH: Areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are 1-3 feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

Zone AR: Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.

Note: The IDNR model ordinance defined "appeal" as both an appeal of the administrator's decision and a variance application. This definition has been altered to be in conformance with the use of the term "appeal" common to zoning ordinances.

4.7 Flood Hazard Area (FH-OL) (cont.)

Zone A99: Areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

Accessory structure: means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Addition: (to an existing structure) means any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

Appeal: means a request for a review of the floodplain administrator's interpretation of any provision of this Chapter.

Area of shallow flooding: means a designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood Elevation (BFE): means the elevation of the one-percent annual chance flood.

Basement: means that portion of a structure having its floor sub-grade (below ground level) on all sides.

Building: see "Structure."

Community: means a political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Community Rating System (CRS): means a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

Critical facility: means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations.

4.7 Flood Hazard Area (FH-OL) (cont.)

Development: means any man-made change to improved or unimproved real estate including but not limited to:

- a. construction, reconstruction, or placement of a structure or any addition to a structure;
- b. installing a manufactured home on a site, preparing a site for a manufactured home or installing recreational vehicle on a site for more than 180 days;
- c. installing utilities, erection of walls and fences, construction of roads, or similar projects;
- d. construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
- e. mining, dredging, filling, grading, excavation, or drilling operations;
- f. construction and/or reconstruction of bridges or culverts;
- g. storage of materials; or
- h. any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” does not include activities such as the maintenance of existing structures and facilities such as painting, reroofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

Elevated structure: means a non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, **filled stem wall foundations (also called chain walls)**, pilings, or columns (posts and piers).

Elevation Certificate: is a certified statement that verifies a structure’s elevation information.

Emergency Program: means the first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

Encroachment: means the advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing Construction: means any structure for which the “start of construction” commenced before the effective date of the community’s first floodplain ordinance.

Existing manufactured home park or subdivision: means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the community’s first floodplain ordinance.

Expansion to an existing manufactured home park or subdivision: means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed

4.7 Flood Hazard Area (FH-OL) (cont.)

(including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA: means the Federal Emergency Management Agency.

Five-hundred year flood (500-year flood): means the flood that has a 0.2 percent chance of being equaled or exceeded in any year.

Flood: means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Boundary and Floodway Map (FBFM): means an official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

Flood Hazard Boundary Map (FHBm): means an official map of a community, issued by FEMA, where the boundaries of the areas of special flood hazard have been identified as Zone A.

Flood Insurance Rate Map (FIRM): means an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS): is the official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

Flood Prone Area: means any land area acknowledged by a community as being susceptible to inundation by water from any source. (see "Flood").

Floodplain: means the channel proper and the areas adjoining any wetland, lake or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.

Floodplain management: means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain management regulations: means this Chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

4.7 Flood Hazard Area (FH-OL) (cont.)

Flood Protection Grade (FPG): is the elevation of the regulatory flood plus two feet at any given location in the SFHA. (see “Freeboard”)

Floodproofing (dry floodproofing): is a method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

Floodproofing certificate: is a form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be by a Registered Professional Engineer or Architect.

Floodway: is the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Freeboard: means a factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

Fringe: is those portions of the floodplain lying outside the floodway.

Functionally dependent facility: means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Hardship: (as related to variances of this Chapter) means the exceptional hardship that would result from a failure to grant the requested variance. The Board of Zoning Appeals of jurisdiction requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one’s neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade: means the highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

Historic structure: means any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

4.7 Flood Hazard Area (FH-OL) (cont.)

Increased Cost of Compliance (ICC): means the cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

Letter of Map Amendment (LOMA): means an amendment to the currently effective FEMA map that establishes that a property is not located in a SFHA. A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR): means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Letter of Map Revision Based on Fill (LOMR-F): means an official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

Lowest adjacent grade: means the lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Lowest floor: means the lowest of the following:

- a. the top of the lowest level of the structure;
- b. the top of the basement floor;
- c. the top of the garage floor, if the garage is the lowest level of the structure;
- d. the top of the first floor of a structure elevated on pilings or pillars;
- e. the top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:
 - i. the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls having a total net area of one (1) square inch for every one square foot of enclosed area. The bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and,
 - ii. such enclosed space shall be usable solely for the parking of vehicles and building access.

Manufactured home: means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision: means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

4.7 Flood Hazard Area (FH-OL) (cont.)

Map amendment: means a change to an effective NFIP map that results in the exclusion from the SFHA of an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (i.e., no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

Map panel number: is the four-digit number followed by a letter suffix assigned by FEMA on a flood map. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised. (The letter "A" is not used by FEMA, the letter "B" is the first revision.)

Market value: means the building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

Mitigation: means sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is two fold: to protect people and structures, and to minimize the cost of disaster response and recovery.

National Flood Insurance Program (NFIP): is the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

National Geodetic Vertical Datum (NGVD) of 1929: as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction: means any structure for which the "start of construction" commenced after the effective date of the community's first floodplain ordinance.

New manufactured home park or subdivision: means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community's first floodplain ordinance.

North American Vertical Datum of 1988 (NAVD 88): as adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

Obstruction: includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its

Note: The Definition of "Placement of Fill" has been added in support of increased local regulations for floodways.

4.7 Flood Hazard Area (FH-OL) (cont.)

propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One-hundred year flood (100-year flood): is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

One-percent annual chance flood: is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

Participating community: is any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

Physical Map Revision (PMR): is an official republication of a community's FEMA map to effect changes to base (1-percent annual chance) flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or SFHAs.

Placement of Fill: The locating on a property of any soil, rocks, or other material or items that has the effect of limiting, altering, or preventing the flow of floodwater. Placement of fill shall not include incidental earthwork associated with replacing flatwork, such as driveways or sidewalks, gardening, and other similar activities.

Post-FIRM construction: means construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

Pre-FIRM construction: means construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

Probation: is a means of formally notifying participating communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

Public safety and nuisance: anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Recreational vehicle: means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be selfpropelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

4.7 Flood Hazard Area (FH-OL) (cont.)

Regular program: means the phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

Regulatory flood: means the flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in [Section 4.7\(C\)\(2\)](#) of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood", "One-Percent Annual Chance Flood", and "100-Year Flood".

Repetitive loss: means flood-related damages sustained by a structure on two separate occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event.

Section 1316: is that section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Special Flood Hazard Area (SFHA): means those lands within the jurisdictions of the City of Columbus and Bartholomew County subject to inundation by the regulatory flood. The SFHAs of the City are generally identified as such on the Flood Insurance Rate Map of the [City of Columbus, Indiana](#) prepared by the Federal Emergency Management Agency and dated February 19, 1997. The SFHAs of the County are generally identified as such on the Flood Insurance Rate Map of the [County of Bartholomew, Indiana \(Unincorporated Areas\)](#) prepared by the Federal Emergency Management Agency and dated March 15, 1982. (These areas are shown on a FHBM or FIRM as Zone A, AE, A1-A30, AH, AR, A99, or AO).

Start of construction: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation for placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

4.7 Flood Hazard Area (FH-OL) (cont.)

For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Substantial damage: means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement: means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “repetitive loss” or “substantial damage” regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a “historic structure”, provided that the alteration will not preclude the structures continued designation as a “historic structure”.

Suspension: means the removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

Variance: is a grant of relief from the requirements of this Chapter, which permits construction in a manner otherwise prohibited by this Chapter where specific enforcement would result in unnecessary hardship.

Violation: means the failure of a structure or other development to be fully compliant with this Chapter. A structure or other development without the elevation, other certification, or other evidence of compliance required in this Chapter is presumed to be in violation until such time as that documentation is provided.

Watercourse: means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Water surface elevation: means the height, in relation to the North American Vertical Datum of 1988 (NAVD 88) or National Geodetic Vertical Datum of 1929 (NGVD) (other datum where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

4.7 Flood Hazard Area (FH-OL) (cont.)

X zone: means the area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2 percent chance of being equaled or exceeded (the 500-year flood). Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

Zone: means a geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

Zone A: (see definition for A zone)

Zone B, C, and X: means areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones (Zone X is used on new and revised maps in place of Zones B and C).

C. **General Provisions:** The following general provisions shall apply to this Chapter.

1. **Applicability:** This Chapter shall apply to all SFHAs and 500-year floodplain areas within the jurisdictions of the City of Columbus and Bartholomew County.
2. **Basis for Establishing Regulatory Flood Data:** This Chapter's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.
 - a. The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs and 500-year floodplains of the City and its extraterritorial jurisdiction (as applicable) shall be as delineated on the flood profiles in the Flood Insurance Study of the City of Columbus, Indiana dated January 5, 1996, and the corresponding Flood Insurance Rate Map dated February 19, 1997 prepared by the Federal Emergency Management Agency.
 - b. The regulatory flood elevation, floodway, and fringe limits of studied SFHAs and 500-year floodplains of the County shall be as delineated on the flood profiles in the Flood Insurance Study of the County of Bartholomew, Indiana (Unincorporated Areas) dated September 15, 1981 and the corresponding Flood Boundary Floodway Map dated March 15, 1982 prepared by the Federal Emergency Management Agency.
 - c. The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdictions of the City of Columbus, Indiana and the County of Bartholomew, Indiana (Unincorporated Areas) delineated as an "A Zone" on the

Increased Requirement: The IDNR model ordinance provides standards for flood hazard reduction in the SFHAs (100-year floodplains) only. This Chapter extends those same regulations (based on the 100-year BFEs and FPGs) to the 500-year flood fringe area as well.

Note: The IDNR model ordinance refers only to a Floodplain Development Permit. Sub-sections 3(a) and 3(b) have been added to ensure a coordinated and efficient local review process.

4.7 Flood Hazard Area (FH-OL) (cont.)

FIRMs of the City of Columbus and Bartholomew County prepared by the Federal Emergency Management Agency and dated January 5, 1996 and March 15, 1982 respectively shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile (or an engineering analysis if the drainage area for the subject site is less than one square mile (see Section 4.7(K)).

- d. In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile (or an engineering analysis if the drainage area for the subject site is less than one square mile (see Section 4.7(K)).
3. Floodplain Development Permit: A Floodplain Development Permit shall be required in conformance with the provisions of this Chapter prior to the commencement of any development activities in areas of special flood hazard.
 - a. *Floodplain Alteration with other Construction*: The Floodplain Development Permit shall be included as an element of any Improvement Location Permit required by this Ordinance in all instances where floodplain alterations (filling, grading, etc.) and other improvements (construction of a structure, etc.) are to be permitted simultaneously.
 - b. *Floodplain Alteration without other Construction*: The Floodplain Development Permit shall follow the procedures for a Zoning Compliance Certificate when applied for independently of other improvements (such as the placement of fill or other alterations not immediately including construction of a structure).
4. Compliance: No structure shall be located, extended, converted or structurally altered within the SFHA or 500-year floodplain without full compliance with the terms of this Chapter and other applicable regulations. No land or stream within the SFHA or 500-year floodplain shall hereafter be altered without full compliance with the terms of this chapter and other applicable regulations.
5. Abrogation and Greater Restrictions: This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and other ordinances or regulations conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

4.7 Flood Hazard Area (FH-OL) (cont.)

6. Mapped Floodplain / Actual Ground Elevation Discrepancies: In cases where there is a discrepancy between the mapped floodplain on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.
 - a. If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA or 500-year floodplain and regulated accordingly.
 - b. If the elevation (natural grade) of the site in question is above the base flood elevation, that site shall be considered outside the SFHA or 500-year floodplain and the floodplain regulations will not be applied. The property owner should be advised to apply for a LOMA.
7. Interpretation: In the interpretation and application of this Chapter all provisions shall be:
 - a. considered as minimum requirements;
 - b. liberally construed in favor of the governing body; and,
 - c. deemed neither to limit nor repeal any other powers granted under state statutes.
8. Warning and Disclaimer of Liability: The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this chapter does not create any liability on the part of the City of Columbus, Bartholomew County, the Indiana Department of Natural Resources, or the State of Indiana for any flood damage that results from reliance on this Chapter or any lawfully made administrative decision.
9. Violations: Failure to obtain a Floodplain Development Permit in the SFHA or 500-year floodplain or failure to comply with the requirements of a Floodplain Development Permit or conditions of a variance shall be deemed to be a violation of this Ordinance. All violations shall be subject to the provisions of Article 13, Enforcement & Penalties of this Ordinance.
 - a. The floodplain administrators shall inform the property owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
 - b. Nothing in this Chapter shall prevent the City of Columbus or Bartholomew County from taking any other lawful action to prevent or remedy any violations. All costs connected with that action shall be reimbursed by the person or persons responsible.

Note: The specific penalties for violations provided by the IDNR model ordinance have been omitted in favor of a reference to Article 13 of this Ordinance. This alteration is intended to ensure consistent enforcement of all requirements of this Ordinance.

Note: The division of duties between the Planning Director and the Chief Code Enforcement Officer is unique to Columbus and Bartholomew County. These statements supplement the text of the IDNR model ordinance.

4.7 Flood Hazard Area (FH-OL) (cont.)

D. **Administration:** The Planning Director, the Chief Code Enforcement Officer, and their designees shall administer and implement the provisions of this Chapter and be referred to as the Floodplain Administrators. The Planning Director shall be responsible for the implementation of this Chapter with regard to subdivision requests and all construction, development, and land uses for which a Zoning Compliance Certificate is required by this Ordinance. The Chief Code Enforcement Officer shall be responsible for the implementation of this Chapter with regard to all 1 and 2 family residences and all other similar construction, development, and land uses for which a Zoning Compliance Certificate is not required.

1. **Floodplain Development Permit Procedures:** Application for a Floodplain Development Permit shall be made to the appropriate Floodplain Administrator prior to any development activities, and may include, but not be limited to, the following information drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing and/or proposed structures; earthen fill; storage of materials or equipment; and drainage facilities. Specifically the following information is required:

a. *Application Stage:*

- i. A description of the proposed development;
- ii. Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams;
- iii. A legal description of the property site;
- iv. A site plan showing existing and proposed development locations and existing and proposed land grades;
- v. Elevation of the top of the lowest floor (including basement) of all proposed buildings. Elevation should be in NAVD 88 or NGVD 1929;
- vi. Elevation (in NAVD 88 or NGVD 1929) to which any non-residential structure will be floodproofed; and
- vii. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

b. *Construction Stage:* Upon placement of the lowest floor; or floodproofing, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the NAVD 88 or NGVD 1929 elevation of the lowest floor or floodproofed elevation, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When floodproofing is utilized for a particular structure said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. (The Floodplain Administrator shall review the lowest floor and

4.7 Flood Hazard Area (FH-OL) (cont.)

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floodproofing elevation survey data submitted.) The permit holder shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey or failure to make required corrections shall be cause to issue a stop-work order for the project.

2. **Duties and Responsibilities of the Floodplain Administrators:** The Floodplain Administrators and/or designated staff is authorized and directed to enforce the provisions of this Chapter. The administrators are further authorized to render interpretations of this Chapter, which are consistent with its spirit and purpose. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to:

- a. *Ensure Compliance:* Review all Floodplain Development Permits and certified plans and specifications to assure that the requirements of this Chapter have been satisfied;
- b. *Determine Damage:* Inspect and inventory damaged structures in SFHAs and complete substantial damage determinations;
- c. *Ensure Authorization:* Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to Sections 4.7(I) and K(1) of this Chapter, and maintain a record of such authorization (either copy of actual permit or floodplain analysis/regulatory assessment).
- d. *Maintain Permits:* Ensure that all necessary federal and/or state permits have been received prior to issuance of the local Floodplain Development Permit. Copies of such permits are to be maintained on file with the Floodplain Development Permit;
- e. *Provide Notice of Watercourse Relocation:* Notify the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA;
- f. *Provide Data:* Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and floodplain analysis and regulatory assessments (letters of recommendation), federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this Chapter;
- g. *Apply Map Revisions:* Utilize and enforce all Letters of Map Revision (LOMR) or Physical Map Revisions (PMR) issued by FEMA for the currently effective SFHA maps of the community;

Note: The description of the duties of the administrators have been reorganized from the IDNR model ordinance to eliminate duplicate text.

Interpretation Note: IDNR has determined that structures that are 400 square feet or less are exempt from the General Standards for Flood Hazard Reduction and intended that exemption to be clear through the text provided in Section 4.7(F)(1)(a). Further, all instances in Section 4.7(E) that refer to "substantial improvements" shall not be construed as applying the definition for that term as provided by this Chapter. As used in this Section the term "substantial improvements" shall mean any alterations, repair, reconstruction or improvements to a structure.

4.7 Flood Hazard Area (FH-OL) (cont.)

- h. *Assure Maintenance:* Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
 - i. *Verify Lowest Floor Elevations:* Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Section 4.7(D)(1); and
 - j. *Verify Floodproofing:* Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed, in accordance with Section 4.7(D)(1).
- E. **General Standards for Flood Hazard Reduction:** In all SFHAs, known floodplain areas, and 500-year floodplain areas the following provisions are required.
1. General Anchoring Required: New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
 2. Manufactured Home Anchoring Required: Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
 3. Flood Resistance Required: New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the FPG.
 4. Flood Damage Minimized: New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
 5. Service Facilities Protected: Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed so as to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.
 6. Water Supply Systems Protected: New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 7. Sanitary Sewage Systems Protected: New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 8. On-site Waste Disposal Protected: On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

4.7 Flood Hazard Area (FH-OL) (cont.)

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9. Alteration of Structures in Compliance: Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of this Chapter shall meet the requirements of “new construction” as contained in this Chapter.
 10. Alteration of Structures not in Compliance: Any alteration, repair, reconstruction or improvement to a structure that is not in compliance with the provisions of this Chapter, shall be undertaken only if said non-conformity is not further extended or replaced.
- F. **Specific Standards for Flood Hazard Reduction:** In all SFHAs, and 500-year floodplain areas the following provisions are required:
1. Standards for all Structures: In addition to the requirements of Section 4.7(E), all applicable structures as described below shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:
 - a. Construction or placement of any new structure having a floor area greater than 400 square feet;
 - b. Addition or improvement to any existing structure:
 - i. where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land);
 - ii. with a previous addition or improvement constructed since the adoption of the first floodplain ordinance for the applicable jurisdiction (City or County).
 - c. Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to its before damaged condition equals or exceeds 50% of the market value of the structure (excluding the value of the land) before damaged occurred;
 - d. Installing a travel trailer or recreational vehicle on a site for more than 180 days; and
 - e. Installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and
 - f. Reconstruction or repairs made to a repetitive loss structure.
 2. Residential Structures: New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor; including basement, at or above the FPG (two feet above the base flood elevation). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 4.7(F)(4).

Interpretation Note: IDNR interprets Section 4.7(F)(1) as follows: (a) indicates that all new structures with a floor area greater than 400 square feet shall be protected from flood damage below the FPG, (b) indicates that all existing structures over 400 square feet must be altered (elevated or floodproofed) to be protected from flood damage below the FPG at the time any addition is made to that structure if either (i) the cost of the addition equals or exceeds 50% of the value of the existing structure (excluding the land) or (ii) the addition is the second such addition (of any value) made to the structure since the local adoption of floodplain regulations, and (c) indicates that all existing structures over 400 square feet that are damaged (by any cause) and for which reconstruction or repairs will exceed 50% of the value of the structure (excluding the land) shall only be reconstructed or repaired in a manner such that the entire structure is protected from flood damage below the FPG (elevated or floodproofed).

Interpretation Note: IDNR interprets Sections 4.7(F)(2), (3), and (4) to only apply to structures greater than 400 square feet.

Interpretation Note: IDNR interprets Sections 4.7(F)(2), (3), and (4) to only apply to structures greater than 400 square feet.

4.7 Flood Hazard Area (FH-OL) (cont.)

3. Non-Residential Structures: New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured home) shall either have the lowest floor, including basement, elevated to or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG.. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 4.7(F)(4). Structures located in all "A Zones" and 500-year floodplain areas may be floodproofed in lieu of being elevated if done in accordance with the following:
 - a. A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the official as set forth in Section 4.7(D)(2)(j).
 - b. Floodproofing measures shall be operable without human intervention and without an outside source of electricity.
4. Elevated Structures: New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG. Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:
 - a. Provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area).
 - b. The bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher.
 - c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - d. Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
 - e. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
 - f. The interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade.

4.7 Flood Hazard Area (FH-OL) (cont.)

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5. Structures Constructed on Fill: A residential or nonresidential structure may be constructed on a permanent land fill in accordance with the following:
 - a. The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with either the Standard or Modified Proctor Test method.
 - b. The fill should extend at least ten feet beyond the foundation of the structure before sloping below the FPG.
 - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.
 - d. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
 - e. The top of the lowest floor including basements shall be at or above the FPG.
6. Manufactured Homes and Recreational Vehicles: Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following requirements:
 - a. The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;
 - i. outside a manufactured home park or subdivision;
 - ii. in a new manufactured home park or subdivision;
 - iii. in an expansion to an existing manufactured home park or subdivision; or
 - iv. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.
 - b. The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.

Interpretation Note: The IDNR considers the fill requirements contained in Section 4.7(F)(5)(b) to be mandatory. This "should" statement is to be considered as a "shall" statement; a requirement.

4.7 Flood Hazard Area (FH-OL) (cont.)

- c. Manufactured homes with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Section 4.7(F)(4).
- d. Recreational vehicles placed on a site shall either:
 - i. be on site for less than 180 days; and,
 - ii. be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - iii. meet the requirements for “manufactured homes” as stated earlier in this section.

G. Standards for Subdivision Proposals: All subdivision proposals shall be consistent with the need to minimize flood damage.

1. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
2. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
3. Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of fifty lots or five acres.

H. Standards for Critical and Potentially Harmful Facilities: Critical facilities are those for which even the slightest risk from flooding is too great given the importance of the facility in responding to a flood event or the complexities of evacuating the facility’s occupants during a flood event. Potential harmful facilities are those that include chemicals or other substances that are potentially harmful to water quality or public health in the event they are inundated by and mixed with flood waters. The Floodplain Administrators may determine if any uses not specifically listed below are also either a critical or potential harmful facility and regulate them accordingly. The determination of the Floodplain Administrators may be appealed to the Board of Zoning Appeals through the Administrative Appeal process.

1. **Critical Facilities:** The following critical facilities, including their access driveways, shall be prohibited from locating in the SFHA or 500-year floodplain. The expansion of buildings or other aspects of any of these uses that are pre-existing in an SFHA or 500-year floodplain shall be exempt from this prohibition, provided that all other applicable provisions of this Chapter are met.
 - a. nursing home / assisted living facility.
 - b. animal shelter.
 - c. correctional facility.

Increased Requirement: The IDNR model ordinance contains only general standards for critical facilities. The City of Columbus and Bartholomew County have added specific standards for critical facilities and potentially harmful facilities.

4.7 Flood Hazard Area (FH-OL) (cont.)

- d. day-care center (child or adult).
 - e. hospital.
 - f. institution for the developmentally disabled / mentally ill.
 - g. police, fire, or rescue station.
 - h. school (grades pre-school through 12).
2. **Potentially Harmful Facilities:** The following potentially harmful facilities, if permitted or conditional in the underlying zoning district or permitted through a use variance or other similar process, shall also be reviewed as a conditional use in the SFHA or 500-year floodplain for the purpose of scrutinizing plans for containment of all chemicals and other potential water-borne pollutants. The expansion of buildings or other aspects of any of these uses that are pre-existing in an SFHA or 500-year floodplain shall be exempt from this prohibition, provided that all other applicable provisions of this Chapter are met.
- a. Farm (CFO/CAFO types I and II).
 - b. Sewage Treatment Plant.
 - c. Gas station (and other similar fueling facilities).
 - d. Dry cleaners (commercial).
 - e. Hazardous materials production and/or bulk storage.
 - f. Waste disposal facility.
- I. **Standards for Identified Floodways:** Located within SFHAs, established in Section 4.7(C)(2), are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and have erosion potential.
1. **Use Restrictions:** All development and land altering activities, including the construction of new buildings, the placement of fill, and the creation of any other potential obstructions to the flow of floodwater shall be prohibited in all floodways. The following activities and uses shall be exempt from this prohibition, provided that all necessary IDNR approvals are obtained and all other applicable provisions of this Chapter are met:
- a. Expansion of buildings and uses that are pre-existing in the floodway.
 - b. Construction of buildings and use of pre-existing lots that have been previously, specifically established for development. "Established" is defined as having an approved and unexpired preliminary plat.
 - c. Agricultural uses (pasture land, fields, etc. excluding all structures).
 - d. Wellfields, utility transmission lines and related infrastructure.
 - e. Nature preserve / conservation areas.
 - f. Marinas, boat ramps, fishing piers and other similar water-related recreation facilities.
 - g. Streets, roads, bridges, pedestrian paths, and related infrastructure.

Increased Requirement: *The IDNR model ordinance does not specify or limit floodway uses or activities. The City of Columbus and Bartholomew County have added limitations on the types of uses and activities permitted in the floodway.*

4.7 Flood Hazard Area (FH-OL) (cont.)

- h. Mineral extraction operations.
 - i. Flood mitigation projects, regulated drain maintenance, and other drainage improvement projects undertaken by a government entity.
2. **Review Procedure:** If the site is in an identified floodway and the proposed activity is exempt from the prohibitions provided by Section 4.7(I)(1) above or permitted through a use variance or other similar process, the Floodplain Administrators shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway.
- a. **IDNR Permit Required:** Under the provisions of IC 14-28-1 a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. However, it does exclude non-substantial additions/improvements to existing (lawful) residences in a non-boundary river floodway. (IC 14-28-1-26 allows construction of non-substantial additions/improvements to residences in a non-boundary river floodway without obtaining a permit for construction in the floodway from the Indiana Department of Natural Resources). Please note that if fill is needed to elevate an addition above the existing grade, prior approval (construction in a floodway permit) for the fill is required from the Indiana Department of Natural Resources.
 - b. **Permit Procedure and Applicable Regulations:** No action shall be taken by the Floodplain Administrators until a permit (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction in a floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Section 4.7(E) through (I)(1) of this ordinance have been met. The Floodplain Development Permit cannot be less restrictive than the permit for construction in a floodway issued by the Indiana Department of Natural Resources. However, a community's more restrictive regulations (if any) shall take precedence.
 - c. **Flood Increase Criteria & Determination:** No development shall be allowed which acting alone or in combination with existing or future development, will increase the regulatory flood more than 0.14 of one foot. The increase in the regulatory flood resulting from any development shall be de-

Note: The last 2 sentences of Section 4.7(I)(2)(c) have been added to the IDNR model ordinance to clarify responsibility.

4.7 Flood Hazard Area (FH-OL) (cont.)

4

Overlay Zoning Districts

terminated by IDNR as an element of the permit review process. In no instance shall the City of Columbus or Bartholomew County be assumed to have responsibility for this determination.

- d. *Procedures for Projects Involving Channel Modifications:* For all projects involving channel modifications the Floodplain Administrator shall request that the Federal Emergency Management Agency revise the regulatory flood data. Such request shall be included in the community's biennial report submission to the Federal Emergency Management Agency.
- J. **Standards for Identified Fringe:** If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in Section 4.7(E) through (H) of this Chapter have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.
- K. **Standards for SFHAs Without Established Base Flood Elevation and/or Floodways/Fringes.**
 1. Significant Upstream Drainage: If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.
 - a. No action shall be taken by the Floodplain Administrator until either a permit for construction in a floodway or a floodplain analysis/regulatory assessment citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.
 - b. Once the Floodplain Administrator has received the proper permit for construction in a floodway or floodplain analysis/regulatory assessment approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in Section 4.7(E) through (I)(1) of this Chapter have been met.
 2. Insignificant Upstream Drainage: If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodway, fringe and 100 year flood elevation for

Note: The IDNR model ordinance indicates that the local community shall "submit the data" and request that FEMA revise the regulatory flood data in all instances of channel modifications or fill. The IDNR model ordinance contains no time frame or other parameters for this submittal. The model ordinance was modified for the purpose of clarity and consistency.

Note: The last sentence of Section 4.7(K)(3) has been added to the IDNR model ordinance to clarify responsibility.

Note: The last sentence of Section 4.7(L) was added to the IDNR model for the purpose of clarity.

Amendments:

Section 4.7(M) revised per
City Ord. 26, 2011 (10.12.11)

4.7 Flood Hazard Area (FH-OL) (cont.)

the site. Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Section 4.7(E) through (I)(1) of this Chapter have been met.

3. **Review Criteria:** The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, shall not increase the regulatory flood more than 0.14 of one foot and will not increase flood damages or potential flood damages. In no instance shall the City of Columbus or Bartholomew County be assumed to have responsibility for this determination.

L. Standards for Other Flood Prone Areas: All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet general standards as required per Section 4.7(E). Any other flood prone areas subject to this provision shall be as specifically identified through supplemental floodplain maps adopted by the applicable jurisdiction (City or County, as appropriate).

M. Additional Standards for the Haw Creek Watershed (HUC #05120205060): The Haw Creek flood hazard modeling developed by Christopher B. Burke Engineering (CBBEL) in May of 2011, as updated periodically shall serve as a supplement to the FEMA-provided Flood Insurance Rate Maps for the Haw Creek watershed. This modeling, including updates, shall hereafter be referred to as the "base model". The following additional standards shall apply to any development, construction, earth moving, or other similar activity that is proposed to occur in the Haw Creek watershed:

1. **Floodplain Mapping Supplemented:** All requirements for structures in the FEMA-identified SFHA and 500-year floodplains established by this Chapter (Chapter 4.7) shall be extended to the base model 500-year flood inundation limits as well, with the base model 100-year BFE as the basis for determining FPG. In all instances where the current Flood Insurance Rate Maps and Flood Insurance Studies prepared by the Federal Emergency Management Agency and the 500-year flood inundation limits and 100-year flood elevations identified on the base model are in conflict, that which provides for the maximum amount of protection from flooding shall control.
2. **Modeling Required and Obstruction Prohibited for Flood Flow Conveyance Paths:** Prior to the commencement of any development, construction, earth moving, or other similar activities to occur within the 500-year flood flow conveyance paths (as identified by the base model) the proposed activity shall be evaluated for its potential impacts. This modeling requirement includes all flood

4.7 Flood Hazard Area (FH-OL) (cont.)

control measures, including those that are intended for temporary protection (such as sandbagging, etc.) that may potentially impact the 500-year flood flow conveyance paths.

- a. The modeling shall be conducted and/or evaluated by a qualified consultant chosen and under contract by the City of Columbus and all costs associated with the modeling shall be incurred by the applicant and shall be paid to the City prior to the modeling.
- b. No development, construction, earth moving, or other similar activities shall result in any obstruction or loss of capacity in any 500-year flood flow conveyance path (as identified by the base model) unless the required modeling shows that the proposed project along with any proposed compensatory measure, acting alone or in combination with existing development will not increase the modeled 500-year flood elevations more than 0.14 foot. The amount of obstruction shall be measured cumulatively beginning October 12, 2011 (the effective date of this provision).
 - i. The maximum increase in 500-year flood elevations shall apply to all properties, streets, and other off-site locations in the watershed, but shall not apply to the property on which the development or similar activity is taking place. There shall be no limit to these self-imposed increases in flood elevations.
 - ii. Any self-imposed increases in flood elevations on property on which development or similar activity takes place shall not be counted toward calculating the cumulative increase in flood elevations on that same property as a result of development activity undertaken by others. The maximum flood elevation increase refers to the maximum amount of increase that a property owner or owners, over time, can cause to occur on adjacent properties. In no instance shall self-imposed increases prevent adjacent property owners from developing their properties to the maximum extent permitted.
 - iii. All calculations of the flood elevation increase shall be rounded to the nearest hundredths of a foot. Non-rounded results equaling 5 thousandths, 5 ten-thousands, etc. or more shall be rounded up to result in figures in the nearest hundredths of a foot. Similarly, all non-rounded results of less than 5 thousandths, ten-thousands, etc. shall be rounded down.
 - iv. At the time of modeling for any development or similar activity the base model shall be updated to reflect any improved topographic information and shall be adjusted to include any stormwater storage that previously occurred in a structure that is proposed to be protected and therefore no longer available for storage. Any increase

4.7 Flood Hazard Area (FH-OL) (cont.)

in flood elevations that results from removal of stormwater storage from existing structures shall not count toward the maximum flood elevation increase.

v. All interpretations and calculations not expressly described in this Section shall follow Indiana Department of Natural Resources standards, policies, etc. for the review of development proposed in a floodway.

c. At the discretion of the Planning Director, upon the advice of the qualified consultant, the applicant shall also be required to provide as-built plans for any completed development, construction, earth moving, or other similar activities and to incur the costs to update the base model to include that change. The as-built plans and model update cost shall be paid prior to occupancy or other similar use of the completed activity.

N. **Appeals and Variances:** The Board of Zoning Appeals of jurisdiction (the board) shall hear and decide appeals and requests for variances from the requirements of this Chapter.

1. Appeals of Administrative Decisions: The board shall hear and decide appeals when it is alleged that an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this Chapter.
2. Variance Considerations: In considering any applications for variance from the requirements of this Chapter, the board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Chapter, as well as;
 - a. The danger to life and property due to flooding or erosion damage;
 - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - c. The importance of the services provided by the proposed facility to the community;
 - d. The necessity to the facility of a waterfront location, where applicable;
 - e. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - f. The compatibility of the proposed use with existing and anticipated development;
 - g. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i. The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site; and,

4.7 Flood Hazard Area (FH-OL) (cont.)

- j. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- 3. **Variance Conditions:** The following conditions shall apply to the consideration of applicants for variance from the requirements of this Chapter.
 - a. Variances shall only be issued when there is:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship; and,
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
 - b. No variance for a residential use within a floodway subject to Section 4.7(I) or Section 4.7(K)(1) of this Chapter may be granted.
 - c. Any variance granted in a floodway subject to Section 4.7(I) or Section 4.7(K)(1) of this Chapter will require a permit from the Indiana Department of Natural Resources.
 - d. Variances to the requirements of Section 4.7(F), may be granted only when a new structure is to be located on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
 - e. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - f. Variances may be issued for the repair or rehabilitation of “historic structures” upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as an “historic structure” and the variance is the minimum to preserve the historic character and design of the structure. Historic structures are those listed individually on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.
 - g. Upon the consideration of the factors listed in Section 4.7(N), and the purposes of this Chapter, the board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Chapter.
- 4. **Variance Notification:** Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the

4.7 Flood Hazard Area (FH-OL) (cont.)

reduced lowest floor elevation. The written notice shall be signed by a community official and also state that:

- a. The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and;
 - b. Such construction below the base flood level increases risks to life and property.
5. Appeal and Variance Reporting: The Floodplain Administrator shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request. All variance actions, including justification for their issuance, shall be included in the community's biennial report submission to the Federal Emergency Management Agency.

Recommendations

September 10, 2012

Recommendation #1:

The City of Columbus and Bartholomew County should prohibit new development in the floodway of all streams. The prohibition should include construction of new buildings, the placement of fill, and any other obstructions to the flow of floodwater in these areas.

Exceptions (provided that all necessary IDNR approvals are obtained and all other Flood Hazard Area Standards are met):

1. Expansion of buildings and uses that are pre-existing in the floodway.
2. Construction of buildings and use of pre-existing lots that have been previously, specifically established for development. "Established" is defined as having an approved and unexpired preliminary plat.
3. Agricultural uses (pasture land, fields, etc. excluding all structures).
4. Wellfields, utility transmission lines and related infrastructure.
5. Nature preserve / conservation areas.
6. Marinas, boat ramps, fishing piers and other similar water-related recreation facilities.
7. Streets, roads, bridges, pedestrian paths, and related infrastructure.
8. Mineral extraction operations.
9. Flood mitigation projects, regulated drain maintenance, and other drainage improvement projects undertaken by a government entity.

Placement of Fill Defined: The phrase "placement of fill" shall include the locating on a property of any soil, rocks, or other material or items that has the effect of limiting, altering, or preventing the flow of floodwater. Placement of fill shall not include incidental earthwork associated with replacing flatwork, such as driveways or sidewalks, gardening, and other similar activities.

Recommendation #2:

The City of Columbus and Bartholomew County should prohibit new critical and especially flood-sensitive facilities from locating in the 500-year floodplain.

Critical / flood-sensitive uses shall include the following:

1. Nursing home / assisted living facility.
2. Animal shelter.
3. Correctional facility.
4. Day-care center (child or adult).
5. Hospital.
6. Institution for developmentally disabled / mentally ill.
7. Police, fire, or rescue station.
8. School (grades pre-school through 12).

Exceptions (provided that all other Flood Hazard Area Standards are met): Expansion of buildings or other facilities associated with any of the above listed uses that are pre-existing in a 500-year floodplain.

Recommendation #3:

The City of Columbus and Bartholomew County should make facilities that are potentially harmful to water quality and public health as a result of flooding conditional uses in the 500-year floodplain. Through the conditional use review and approval process any such facility shall be required

to provide plans for containment of all chemicals and other potential water-borne pollutants during a 500-year flood event.

These uses shall include the following:

1. Farm (CFO/CAFO types I and II). (*Note: CFO and CAFO refer to confined feeding operations where large quantities of animal waste are stored on-site.*)
2. Sewage treatment plant.
3. Gas station (and other similar fueling stations).
4. Dry cleaners (commercial).
5. Hazardous materials production and/or bulk storage.
6. Waste disposal facility. (*Note: the term "waste disposal facility" includes incinerators, scrap metal yards, landfills, auto impound lots, and inoperable vehicle storage.*)

Exceptions (provided that all other Flood Hazard Area Standards are met): Expansion of buildings or other facilities associated with any of the above listed uses that are pre-existing in a 500-year floodplain.

Recommendation #4:

The City of Columbus and Bartholomew County should support the continued viability of buildings and uses in the 500-year floodplain, including the floodway, that are legal non-conforming ("grandfathered"). Limitations on expanding, remodeling, and repairing homes and businesses that are legal non-conforming should follow FEMA / IDNR minimum requirements, rather than having more restrictive standards for such properties imposed by the City or County. This specifically refers to provisions such as those that prohibit repair of damaged floodplain structures in instances where the repairs exceed 40% of the structure's value. This is not intended to discourage additional regulation based on better data, such as the Haw Creek supplemental floodplain regulations.

Recommendation #5:

The City of Columbus and Bartholomew County should be pro-active in updating floodplain maps to address specific known and/or suspected errors. The FEMA / IDNR mapping process is designed to accommodate mass production and can be slow to detect and correct specific errors in the mapping of local streams. Local communities have the ability to conduct studies of area streams and advocate for those results to be incorporated into the FEMA / IDNR official floodplain maps. Columbus and Bartholomew County should use this process to advocate for the correction of any locally-known floodplain mapping errors.

Recommendation #6:

The City of Columbus and Bartholomew County should prioritize minimizing impact on flooding as a criteria in bridge design. Bridge design considers numerous factors, including cost and usability. Bridge design should also prioritize minimizing the impact of that bridge (including its guardrails) on future flooding, both in the immediate area and the watershed as a whole. The bridge design process should include careful review specifically with regard to impact on flooding. Both the City and County should also seek a standard higher than the current IDNR / FEMA requirements for minimizing bridge impact on flooding.

Minority Opinions:

The recommendations listed above represent the conclusions of the majority of Flood Regulation Study Committee members. However, the conclusions of the Committee were not unanimous. A minority of Committee members concluded that both the City and County should take additional regulatory steps to minimize the impacts of new development on flooding and thereby better protect existing homes and businesses. The other options advocated for by the minority specifically included (1) requiring compensatory floodwater storage areas to be created proportional to any fill placed in the floodplain and (2) prohibiting all development in the floodplain (including the floodway and the flood fringe areas).

City of Columbus & Bartholomew County Flood Regulation Study Committee

Recommendation Summary

September 10, 2012

Topic		IDNR / FEMA Minimum Requirement (most restrictive listed)*
1	Floodway Development	Floodway development permitted with IDNR review and approval.
2	Critical & Flood-sensitive Facilities (school, day care, hospital, etc.)	No specific regulations.
3	Facilities Causing Pollution if Flooded (sewage treatment plant, gas station, etc.)	No specific regulations.
4a	Repair of Existing Floodplain Structures that are Damaged	Structures damaged beyond 50% of their value must be elevated or flood-proofed.
4b	Structural Alterations (Additions and/or Remodeling) of Existing Floodplain Structures	Structures may be altered 1 time not exceeding 50% of their value before elevating or flood proofing is required.
5	Floodplain Mapping	Not Applicable
6	Bridge Design	Not Applicable

* IDNR / FEMA minimum requirement for community property owners to receive federally-backed flood insurance (ii)

Current Columbus & Bartholomew County Requirement	Committee Recommendation	Recommendation Effect
Floodway development permitted with IDNR review and approval.	Prohibit all floodway development (expansions of existing facilities to be permitted with IDNR approval).	Increased Regulation
No specific regulations.	Prohibit critical and flood-sensitive facilities from all 500-year floodplain locations (expansions of existing facilities to be exempt).	Increased Regulation
No specific regulations.	Establish these potentially harmful facilities as "conditional uses" requiring specific review if locating in a floodplain (expansions of existing facilities to be exempt).	Increased Regulation
Structures damaged beyond 40% of their value must be elevated or flood-proofed.	Follow IDNR / FEMA minimum - structures damaged beyond 50% of their value must be elevated or flood-proofed.	Decreased Regulation
Structures may be altered 1 time not exceeding 40% of their value before elevating or flood proofing is required.	Follow IDNR / FEMA minimum - structures may be altered 1 time not exceeding 50% of their value before elevating or flood proofing is required.	Decreased Regulation
Not Applicable	City and County should pro-actively pursue updates to IDNR / FEMA floodplain maps known to be inaccurate.	Not Applicable
Not Applicable	City and County should prioritize minimizing impact on flooding as a bridge design criteria.	Not Applicable

ie instances IDNR requirements are more restrictive than those of FEMA).

GENERAL RESOLUTION: 2012-01

of the City of Columbus, Indiana Plan Commission

regarding the
Columbus & Bartholomew County Zoning Ordinance
[a proposal to revise the Flood Hazard Area Standards
of the current Columbus & Bartholomew County
Zoning Ordinance (adopted March 18, 2008)]

WHEREAS, on March 18, 2008 the Columbus Common Council passed Ordinance No. 13, 2008 adopting a replacement zoning ordinance, including zoning maps, for the jurisdiction of the City of Columbus; and

WHEREAS, the replacement zoning ordinance also includes the flood hazard area standards for the community; and

WHEREAS, since that ordinance's effective date of April 3, 2008 its effectiveness, legality, and clarity have been subject to regular and on-going review by the Columbus Plan Commission and its professional staff; and

WHEREAS, this review of the zoning ordinance is both an expected and planned component of its administration and is necessary for the ordinance's long-term maintenance and relevance; and

WHEREAS, the City of Columbus is required to adopt the minimum flood hazard area standards specified by the Indiana Department of Natural Resources in order for the City to participate in the National Flood Insurance Program and thereby make low-cost flood insurance available to local property owners; and

WHEREAS, local communities are permitted and encouraged by the Indiana Department of Natural Resources and the Federal Emergency Management Agency to adopt flood hazard area standards that exceed the minimum requirements based on the needs and circumstances of each community; and

WHEREAS, the City of Columbus Plan Commission, in partnership with the Bartholomew County Plan Commission, has convened a committee of local residents and elected and appointed officials to review the currently adopted flood hazard area standards and recommend any needed revisions; and

WHEREAS, after a one-year study process that included multiple public input opportunities and presentations on the various aspects of flooding and floodplain regulations the committee has recommended revisions to the flood hazard area regulations that more accurately represent the circumstances and preferences of the community and the local position on addressing the long-term risks from flooding; and

WHEREAS, the Plan Commission, acting through its professional staff, has prepared a set of revisions to the zoning ordinance's flood hazard area standards that are intended to act on the committee's recommendations as well as address other needed clarifications and updates; and

WHEREAS, these revisions were prepared for the purposes described by IC 36-7-4-601(c); including (1) the securing of adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways, and (3) promoting the public health, safety, comfort, morals, convenience, and general welfare; and

WHEREAS, the City of Columbus Comprehensive Plan, adopted in a series of elements from 1999 through 2011, provides the policy guidance for the creation and revision of the zoning ordinance, including the flood hazard area standards; and

WHEREAS, the Columbus Plan Commission did, on December 12, 2012, hold a legally advertised public hearing on the zoning ordinance revisions and has certified a favorable recommendation for their adoption to the Common Council; and

WHEREAS, the Plan Commission has considered the criteria provided by IC 36-7-4-603; including (1) the Comprehensive Plan, (2) the current conditions in each district, (3) the most desirable use for land in each district, (4) the conservation of property values, and (5) responsible growth and development; and

WHEREAS, the Plan Commission recognizes that its action represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on this matter.


NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The proposed revisions to the Columbus & Bartholomew County Zoning Ordinance (documented by the "Adoption Draft" ordinance attached to and made a part of this resolution) are forwarded to the Common Council with a favorable recommendation.
- 2) This resolution shall serve as the certification required by IC 36-7-4-605.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 12th DAY OF December, 2012 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.


Roger Lang, President

ATTEST:


David L. Hayward, Secretary

"Adoption Draft"

ORDINANCE NO.: _____, 2013

**AN ORDINANCE AMENDING THE FLOOD HAZARD AREA STANDARDS OF THE
COLUMBUS & BARTHOLOMEW COUNTY ZONING ORDINANCE FOR THE JURISDICTION
OF THE CITY OF COLUMBUS**

**Favorably Recommended by
Columbus Plan Commission General Resolution 2012-____**

WHEREAS, on March 18, 2008 the Columbus Common Council passed Ordinance No. 13, 2008 adopting a replacement zoning ordinance, including zoning maps, for the jurisdiction of the City of Columbus; and

WHEREAS, the replacement zoning ordinance also includes the flood hazard area standards for the community; and

WHEREAS, the City of Columbus is required to adopt the minimum flood hazard area standards specified by the Indiana Department of Natural Resources in order for the City to participate in the National Flood Insurance Program and thereby make low-cost flood insurance available to local property owners; and

WHEREAS, local communities are permitted and encouraged by the Indiana Department of Natural Resources and the Federal Emergency Management Agency to adopt flood hazard area standards that exceed the minimum requirements based on the needs and circumstances of each community; and

WHEREAS, the City of Columbus has a history of adopting flood hazard area standards that exceed the required minimums in response to the circumstances and preferences of the community; and

WHEREAS, the City of Columbus Plan Commission, in partnership with the Bartholomew County Plan Commission, has convened a committee of local residents and elected and appointed officials to review the currently adopted flood hazard area standards and recommend any needed revisions; and

WHEREAS, after a one-year study process that included multiple public input opportunities and presentations on the various aspects of flooding and floodplain regulations the committee has recommended revisions to the flood hazard area regulations that more accurately represent the circumstances and preferences of the community and the local position on addressing the long-term risks from flooding; and

WHEREAS, this ordinance is intended to act on the committee's recommendations through appropriate revisions to the zoning ordinance's flood hazard area standards as well as address other needed clarifications and updates; and

WHEREAS, this set of zoning ordinance revisions was prepared for the purposes described by IC 36-7-4-601(c); including (1) the securing of adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways, and (3) promoting the public health, safety, comfort, morals, convenience, and general welfare; and

WHEREAS, the City of Columbus Comprehensive Plan, adopted in a series of elements from 1999 through 2011, provides the policy guidance for the creation and revision of the zoning ordinance, including the flood hazard area standards; and

WHEREAS, the Columbus Plan Commission did, on December 12, 2012, hold a legally advertised public hearing on the zoning ordinance revisions and has certified a favorable recommendation for their adoption to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria provided by IC 36-7-4-603; including (1) the Comprehensive Plan, (2) the current conditions in each district, (3) the most desirable use for land in each district, (4) the conservation of property values, and (5) responsible growth and development.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Zoning Ordinance Flood Hazard Area Standards Amended

The flood hazard area standards of the Columbus & Bartholomew County Zoning Ordinance, initially adopted as Ordinance 13, 2008, are amended for the jurisdiction of the City of Columbus as follows:

1. **IDNR Model Ordinance Updates:** Updates to the Indiana Department of Natural Resources model ordinance indicating the minimum flood hazard area standards are provided through the following:
 - a. Section 4.7(B) is revised for the term "Elevated Structure" to be defined as follows: "...solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings..."
 - b. Section 4.7(B) is revised to include the term "Flood Prone Area" which is defined as follows: "means any land area acknowledged by a community as being susceptible to inundation by water from any source. (see "Flood")."
 - c. Section 4.7(B) is revised for the term "Lowest Floor" to exclude item "e", which is deleted with item "f" organized as the new item "e". Further, the new item "e" is revised to read as follows: "...minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls having a total net area..." and "The bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher, and,"
 - d. Section 4.7(B) is revised for the term "Special Flood Hazard Area (SFHA)" to be defined as follows: "...on the Flood Insurance Rate Map of the City of Columbus, Indiana prepared by..." and "...on the Flood Insurance Rate Map of the County of Bartholomew, Indiana (Unincorporated Areas) prepared by..."
 - e. Section 4.7(C) is reorganized and revised as follows: subsection (2) becomes subsection (4), subsection (3) becomes subsection (5), subsection (5) becomes subsection (7), subsection (6) becomes subsection (8), subsection (7) becomes subsection (2), subsection (8) becomes subsection (6); subsection (4) is deleted; a replacement subsection (3) is added and reads "Floodplain Development Permit: A Floodplain Development Permit shall be required in conformance with the provisions of this Chapter prior to the commencement of any development activities in areas of special flood hazard". Also, in Section 4.7(B), the definition of "Regulatory Flood" is revised to reference Section 4.7(C)(2).
 - f. Section 4.7(C)(2)(a) is revised to read as follows: "...in the Flood Insurance Study of the City of Columbus, Indiana..."
 - g. Section 4.7(C)(2)(b) is revised to read as follows: "...in the Flood Insurance Study of the County of Bartholomew, Indiana (Unincorporated Areas)..."
 - h. Section 4.7(C)(2)(c) is deleted and replaced with the following: "The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs and 500-year floodplains within the jurisdictions of the City of Columbus and Bartholomew County delineated as an "A Zone" on the FIRMs of the City of Columbus, Indiana and the County of Bartholomew, Indiana (Unincorporated Areas) prepared by the Federal Emergency Management Agency and dated January 5, 1996 and March 15, 1982 respectively shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile (or an engineering analysis if the drainage area for the subject site is less than one square mile (see Section 4.7(K))."
 - i. Section 4.7(C)(2)(d) is added as follows: "In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe

limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile (or an engineering analysis if the drainage area for the subject site is less than one square mile (see Section 4.7(K))."

- j. Section 4.7(C)(9) is revised to add the following subsections: "(a) The floodplain administrators shall inform the property owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended" and "(b) Nothing in this Chapter shall prevent the City of Columbus or Bartholomew County from taking any other lawful action to prevent or remedy any violations. All costs connected with that action shall be reimbursed by the person or persons responsible."
- k. Section 4.7(D)(1) is deleted with subsections (a) and (b) relocated in their entirety as subsections 4.7(C)(3)(a) and (b). The corresponding margin note is also relocated to the appropriate page containing the relocated provisions. Also, subsections 4.7(D)(2) and (3) are renumbered as appropriate.
- l. Section 4.7(D)(3) (renumbered as subsection 2 as described above) is revised to relocated subsection (j) as subsection (h) with present subsections (h) and (i) reordered as appropriate.
- m. Section 4.7(E) is revised to read as follows: "In all SFHAs, known flood prone areas and 500-year floodplain areas...". Further, Section 4.7(E) is revised to delete the 2nd and 3rd sentences and relocate them respectively as subsections 4.7(E)(9) subtitled as "Alteration of Structures in Compliance" and (10) "Alteration of Structures not in Compliance".
- n. Section 4.7(E)(5) is revised to read as follows: "Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed so as to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG."
- o. Section 4.7(F)(1)(b) is deleted and replaced with the following:
 - b. Addition or improvement to any existing structure:
 - i. where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land);
 - ii. with a previous addition or improvement constructed since the adoption of the first floodplain ordinance for the applicable jurisdiction (City or County).
- p. Section 4.7(F)(1)(c) is revised to read as follows: "...to a damaged structure where the costs of restoring the structure to it's before damaged condition equals or exceeds...".
- q. Section 4.7(F)(3) is revised to read as follows: "...or non-residential structure (or manufactured home) shall either have the lowest floor..." and "...or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 4.7(F)(4). Structures located in all..."
- r. Section 4.7(F)(3)(a) is revised to reference Section 4.7(D)(2)(j).
- s. Section 4.7(F)(4) is deleted and replaced with the following:
 - 2. Elevated Structures: New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG. Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to

allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:

- a. Provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area).
 - b. The bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher.
 - c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - d. Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
 - e. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
 - f. The interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade.
- j. Section 4.7(F)(5)(a) is revised to read as follows: "...of the maximum density obtainable with either the Standard or Modified Proctor Test method."
 - k. Section 4.7(F)(6) is deleted and all subsequent subsections are renumbered as appropriate.
 - l. Section 4.7(F)(7) (renumbered as subsection (6) as described above) is revised to include a new subsection (c) as provided below and with the subsequent subsections renumbered as appropriate.
 - c. Manufactured homes with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Section 4.7(F)(4).
 - m. Chapter 4.7 is revised to include a new subsection (L) which reads as below, and all subsequent sections are renumbered as appropriate.
 - L. Standards for Other Flood Prone Areas: All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet general standards as required per Section 4.7(E).
 - n. Section 4.7(M)(3)(f) (renumbered as subsection (N)(3)(f) as described above) is revised to add the following: "Historic structures are those listed individually on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures."
 - o. Section 4.7(N)(3)(g) is revised to reference Section 4.7(N).
2. Flood Regulation Study Committee Recommendations: The recommendations of the Columbus & Bartholomew County Flood Regulation Study Committee are implemented through the following:
 - a. Section 4.7(H) is deleted and replaced with the following:
 - H. **Standards for Critical and Potentially Harmful Facilities:** Critical facilities are those for which even the slightest risk from flooding is too great given the importance of the facility in responding to a flood event or the complexities of evacuating the facility's occupants during a flood event. Potential harmful facilities are those that include chemicals or other substances that are potentially harmful to water quality or public health in the event they are inundated by and mixed with flood waters. The Floodplain Administrators may determine if any uses not specifically listed below are also either a critical or potential harmful facility and regulate them accordingly. The determination of

the Floodplain Administrators may be appealed to the Board of Zoning Appeals through the Administrative Appeal process.

1. **Critical Facilities:** The following critical facilities, including their access driveways, shall be prohibited from locating in the SFHA or 500-year floodplain. The expansion of buildings or other aspects of any of these uses that are pre-existing in an SFHA or 500-year floodplain shall be exempt from this prohibition, provided that all other applicable provisions of this Chapter are met.
 - a. nursing home / assisted living facility.
 - b. animal shelter.
 - c. correctional facility.
 - d. day-care center (child or adult).
 - e. hospital.
 - f. institution for the developmentally disabled / mentally ill.
 - g. police, fire, or rescue station.
 - h. school (grades pre-school through 12).
 2. **Potentially Harmful Facilities:** The following potentially harmful facilities, if permitted or conditional in the underlying zoning district or permitted through a use variance or other similar process, shall also be reviewed as a conditional use in the SFHA or 500-year floodplain for the purpose of scrutinizing plans for containment of all chemicals and other potential water-borne pollutants. The expansion of buildings or other aspects of any of these uses that are pre-existing in a SFHA or 500-year floodplain shall be exempt from this prohibition, provided that all other applicable provisions of this Chapter are met.
 - a. Farm (CFO/CAFO types I and II).
 - b. Sewage Treatment Plant.
 - c. Gas station (and other similar fueling facilities).
 - d. Dry cleaners (commercial).
 - e. Hazardous materials production and/or bulk storage.
 - f. Waste disposal facility.
- b. Section 4.7(I) is revised as follows, with current subsections 4.7(I)(1) through (4) renumbered as 4.7(I)(2)(a) through (d):
- I. **Standards for Identified Floodways:** Located within SFHAs, established in Section 4.7(C)(2), are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and have erosion potential.
 1. **Use Restrictions:** All development and land altering activities, including the construction of new buildings, the placement of fill, and the creation of any other potential obstructions to the flow of floodwater shall be prohibited in all floodways. The following activities and uses shall be exempt from this prohibition, provided that all necessary IDNR approvals are obtained and all other applicable provisions of this Chapter are met:
 - a. Expansion of buildings and uses that are pre-existing in the floodway.
 - b. Construction of buildings and use of pre-existing lots that have been previously, specifically established for development. "Established" is defined as having an approved and unexpired preliminary plat.
 - c. Agricultural uses (pasture land, fields, etc. excluding all structures).
 - d. Wellfields, utility transmission lines and related infrastructure.
 - e. Nature preserve / conservation areas.
 - f. Marinas, boat ramps, fishing piers and other similar water-related recreation facilities.
 - g. Streets, roads, bridges, pedestrian paths, and related infrastructure.
 - h. Mineral extraction operations.
 - i. Flood mitigation projects, regulated drain maintenance, and other drainage improvement projects undertaken by a government entity.
 2. **Review Procedure:** If the site is in an identified floodway and the proposed activity is exempt from the prohibitions provided by Section 4.7(I)(1) above or

permitted through a use variance or other similar process, the Floodplain Administrators shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway.

- c. Section 4.7(F)(1)(b)(i) is revised to read "...the cost of which equals or exceeds 50% of the value..."; Section 4.7(F)(1)(c) is revised to read "...that are valued at more than 50% of the market value of the structure..."; and the "Increased Requirement" margin note associated with these provisions is deleted.
 - d. Section 4.7(B) is revised to include the term "Placement of Fill" which is defined as follows: "The locating on a property of any soil, rocks, or other material or items that has the effect of limiting, altering, or preventing the flow of floodwater. Placement of fill shall not include incidental earthwork associated with replacing flatwork, such as driveways or sidewalks, gardening, and other similar activities." Also, the following note is placed in the margin in proximity to this definition: "Note: The Definition of "Placement of Fill" has been added in support of increased local regulations for floodways".
 - e. Section 4.7(B) is revised for the "Substantial damage" definition to read as follows: "...would equal or exceed 50 percent of the market value..."
 - f. Section 4.7(B) is revised for the "Substantial improvement" definition to read as follows: "...the cost of which equals or exceeds 50 percent of the market value..."
 - g. Section 4.7(B) is revised for the "Critical facility" definition to read as follows: "...police, fire, and emergency response installations."
 - h. Section 4.7(H) is revised to include a margin note that reads as follows: "Increased Requirement: The IDNR model ordinance contains only general standards for critical facilities. The City of Columbus and Bartholomew County have added specific standards for critical facilities and potentially harmful facilities."
 - i. Section 4.7(I) is revised to include a margin note that reads as follows: "Increased Requirement: The IDNR model ordinance does not specify or limit floodway uses or activities. The City of Columbus and Bartholomew County have added limitations on the types of uses and activities permitted in the floodway."
 - j. Section 4.7(I)(2)(b), Section 4.7(K)(1)(b), and Section 4.7(K)(2) are revised so that the references include in each to Section 4.7(H) is changed to Section 4.7(I)(1).
3. Supplemental Haw Creek Regulation Clarifications: The supplemental flood hazard area regulations for the Haw Creek Watershed are clarified through the following:
- a. Section 4.7(M)(1) is revised to read as follows: "...All requirements for structures in the FEMA-identified SFHA and 500-year floodplains established by this Chapter (Chapter 4.7) shall be extended to the base model 500-year inundation limits as well, with the base model 100-year BFE as the basis for determining FPG. In all instances where the current Flood Insurance Rate Maps and Flood Insurance Studies prepared by the Federal Emergency Management Agency and the 500-year flood inundation limits and 100-year flood elevations identified on the base model are in conflict..."
 - b. Section 4.7(M)(2)(b) is revised to read "...will not increase the modeled 500-year flood elevations more than 0.14 foot."
 - c. Section 4.7(M)(2)(b) is revised to add the following:
 - i. The maximum increase in 500-year flood elevations shall apply to all properties, streets, and other off-site locations in the watershed, but shall not apply to the

property on which the development or similar activity is taking place. There shall be no limit to these self-imposed increases in flood elevations.

- ii. Any self-imposed increases in flood elevations on property on which development or similar activity takes place shall not be counted toward calculating the cumulative increase in flood elevations on that same property as a result of development activity undertaken by others. The maximum flood elevation increase refers to the maximum amount of increase that a property owner or owners, over time, can cause to occur on adjacent properties. In no instance shall self-imposed increases prevent adjacent property owners from developing their properties to the maximum extent permitted.
- iii. All calculations of the flood elevation increase shall be rounded to the nearest hundredths of a foot. Non-rounded results equaling 5 thousandths, 5 ten-thousands, etc. or more shall be rounded up to result in figures in the nearest hundredths of a foot. Similarly, all non-rounded results of less than 5 thousandths, ten-thousands, etc. shall be rounded down.
- iv. At the time of modeling for any development or similar activity the base model shall be updated to reflect any improved topographic information and shall be adjusted to include any stormwater storage that previously occurred in a structure that is proposed to be protected and therefore no longer available for storage. Any increase in flood elevations that results from removal of stormwater storage from existing structures shall not count toward the maximum flood elevation increase.
- v. All interpretations and calculations not expressly described in this Section shall follow Indiana Department of Natural Resources standards, policies, etc. for the review of development proposed in a floodway.

4. Clarifications & Interpretive Notes: The ordinance language required by the Indiana Department Natural Resources and local increased regulations are made clearer through the following:

- a. Section 4.7(C)(1) is revised to read as follows: "This Chapter shall apply to all SFHAs and 500-year floodplain areas within the jurisdictions of..." Also, the following note is placed in the margin in proximity to this text: "Increased Requirement: The IDNR model ordinance provides standards for flood hazard reduction in the SFHAs (100-year floodplains) only. This Chapter extends those same regulations (based on the 100-year BFEs and FPGs) to the 500-year flood fringe as well." Also, a similar margin note associated with Section 4.7(F) is deleted.
- b. Section 4.7(C)(2)(a) is revised to read as follows: "...for the studied SFHAs and 500-year floodplains of the City..." and "...shall be as delineated on the flood profiles in the Flood Insurance Study..."
- c. Section 4.7(C)(2)(b) is revised to read as follows: "...of studied SFHAs and 500-year floodplains of the County shall be as delineated on the flood profiles in the Flood Insurance Study..."
- d. Section 4.7(C)(4) is revised to read as follows: "...within the SFHA or 500-year floodplain without full compliance with..." and "...within the SFHA or 500-year floodplain shall hereafter be altered..."
- e. Section 4.7(C)(6) is revised to read as follows: "...between the mapped floodplain on the FIRM and the actual..."
- f. Section 4.7(C)(6)(a) is revised to read as follows: "...in the SFHA or 500-year floodplain and regulated accordingly."
- g. Section 4.7(C)(6)(b) is revised to read as follows: "...shall be considered outside the SFHA or 500-year floodplain and the floodplain regulations will not be applied."
- h. Section 4.7(C)(9) is revised to read as follows: "Failure to obtain a Floodplain Development Permit is the SFHA or 500-year floodplain or failure to comply with..."

- i. Section 4.7(D) is revised to read as follows: "The Planning Director shall be responsible for the implementation of this Chapter with regard to subdivision requests and all construction, development, and land uses for which a Zoning Compliance Certificate is required by this Ordinance. The Chief Code Enforcement Officer shall be responsible for the implementation of this Chapter with regard to all 1 and 2 family residences and all other similar construction, development, and land uses for which a Zoning Compliance Certificate is not required."
 - j. Section 4.7(E) is revised to include a margin note that reads as follows: "Interpretation Note: IDNR has determined that structures that are 400 square feet or less are exempt from the General Standards for Flood Hazard Reduction and intended that exemption to be clear through the text provided in Section 4.7(F)(1)(a). Further, all instances in this Section that refer to "substantial improvements" shall not be construed as applying the definition for that term as provided by this Chapter. As used in this Section the term "substantial improvements" shall mean any alterations, repair, reconstruction or improvements to a structure."
 - k. Section 4.7(F)(1) is revised to read as follows "In addition to the requirements of Section 4.7(E) all applicable structures as described below shall be protected from flood damage..."
 - l. Section 4.7(F)(1) is revised to include a margin note that reads as follows: "Interpretation Note: IDNR interprets Section 4.7(F)(1) as follows: (a) indicates that all new structures with a floor area greater than 400 square feet shall be protected from flood damage below the FPG, (b) indicates that all existing structures over 400 square feet must be altered (elevated or floodproofed) to be protected from flood damage below the FPG at the time any addition is made to that structure if either (i) the cost of the addition equals or exceeds 50% of the value of the existing structure (excluding the land) or (ii) the addition is the second such addition (of any value) made to the structure since the local adoption of floodplain regulations, and (c) indicates that all existing structures over 400 square feet that are damaged (by any cause) and for which reconstruction or repairs will exceed 50% of the value of the structure (excluding the land) shall only be reconstructed or repaired in a manner such that the entire structure is protected from flood damage below the FPG (elevated or floodproofed)."
 - m. Sections 4.7(F)(2) through (4) are revised to include a margin note that reads as follows: "Interpretation Note: IDNR interprets Sections 4.7(F)(2), (3), and (4) to only apply to structures greater than 400 square feet."
 - n. Section 4.7(K)(3) is revised to include a margin note that reads as follows: "Note: The last sentence of Section 4.7(K)(3) has been added to the IDNR model ordinance to clarify responsibility."
 - o. Section 4.7(F)(5)(b) is revised to include a margin note that reads as follows: "Interpretation Note: The IDNR considers the fill requirements contained in Section 4.7(F)(5)(b) to be mandatory. This "should" statement is to be considered as a "shall" statement; a requirement."
 - p. Section 4.7(L) is amended to add the following: "Any other flood prone areas subject to this provision shall be as specifically identified through supplemental floodplain maps adopted by the applicable jurisdiction (City or County, as appropriate)." Also, a margin note is added in association with this section as follows: "Note: The last sentence of Section 4.7(L) was added to the IDNR model for the purpose of clarity."
5. Errors and Omissions: Errors and omissions in the text of the Flood Hazard Area Standards that do not have any effect on the actual content or effect of the regulations are corrected as follows:
- a. Section 4.7(B) is revised for the definition of the term "Accessory Structure" to exclude "(appurtenant structure)".

- b. Section 4.7(B) is revised for the definition of the term "Appeal" to read as follows: "...any provision of this Chapter".
- c. Section 4.7(B) is revised for the definition of the term "Floodplain management regulations" to read as follows: "...means this Chapter and other..."
- d. Section 4.7(B) is revised for the definition of the term "Hardship" to read as follows: "(as related to variances from this Chapter)..."
- e. Section 4.7(B) is revised for the definition of the term "Variance" to read as follows: "...the requirements of this Chapter, with permits construction in a manner otherwise prohibited by this Chapter where specific..."
- f. Section 4.7(B) is revised for the definition of the term "Violation" to read as follows: "...to be fully compliant with this Chapter." and "...of compliance as required by this Chapter is presumed..."
- g. Section 4.7(D)(1)(a)(vii) is revised to read as follows: "...any watercourse will be altered or relocated as a result of..."
- h. Section 4.7(D)(1)(b) is revised to read as follows: "...a certification of the NAVD 88 or NGVD 1929 elevation of the lowest floor..."
- i. Section 4.7(E)(10) is revised to read as follows: "...only if said non-conformity is not further extended or replaced."
- j. Section 4.7(I)(2)(a) is revised to read as follows: "...the provisions of IC 14-28-1 a permit for construction..."
- k. Section 4.7(I)(2)(d) is revised to read as follows: "For all projects involving channel modifications the Floodplain Administrator shall request that..."
- l. Section 4.7(N)(3)(b) is revised to read as follows "...within a floodway subject to Section 4.7(I) or Section 4.7(K)(1)..."
- m. Section 4.7(N)(3)(c) is revised to read as follows "...in a floodway subject to Section 4.7(I) or Section 4.7(K)(1)..."

SECTION 2: Repealer

All ordinances or parts thereof in conflict with this Ordinance shall be repealed to the extent of such conflict.

SECTION 3: Severability

If any provision, or the application of any provision, of this Ordinance is held unconstitutional or invalid the remainder of the Ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 4: Effective Date

This Ordinance shall be effective upon adoption and any publication required by Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2013 at _____ o'clock _____m., by a vote of _____ ayes and _____nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2013 at
_____ o'clock _____.m.

Kristen S. Brown
Mayor of the City of Columbus, Indiana

ORDINANCE NO. ____, 2013
AMENDED FROM ORDINANCE NO. ____, 2012
2013 SALARY ORDINANCE

AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY
OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2013.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA:

SECTION I - SALARIED

That, and from after the first day of January, 2013, the following salaried employees of the City of Columbus, Indiana shall receive no more than the amount listed below the column named "MAXIMUM." The "Entry" column is entered as a guideline for suggested beginning salary.

	SALARY ENTRY	SALARY MAXIMUM
ANIMAL CARE SERVICES CENTER		
Animal Care Services General Manager	\$ 34,670	\$ 49,528
Animal Care Services Enforcement Manager	\$ 31,518	\$ 45,026
Animal Care Services Officer (3)	\$ 25,312	\$ 36,160
AVIATION		
Manager	\$ 52,022	\$ 74,317
Office Supervisor	\$ 24,654	\$ 35,220
Maintenance Manager.....	\$ 37,713	\$ 53,876
BOARD OF WORKS		
Citizens Members(4)		\$ 2,544
CITY GARAGE DEPARTMENT		
MVH:		
City Garage Operations Manager	\$ 43,335	\$ 61,908
MVH Foreman	\$ 29,728	\$ 42,468
Sanitation:		
Sanitation Foreman	\$ 29,728	\$ 42,468
Office Administrator	\$ 25,428	\$ 36,325
Secretary.....	\$ 24,359	\$ 34,799
Traffic:		
Foreman	\$ 29,728	\$ 42,468
CITY HALL		
Building Supervisor	\$ 34,828	\$ 49,755
CLERK-TREASURER		
Administrative Assistant	\$ 23,523	\$ 33,604
Chief Deputy Clerk Treasurer	\$ 38,162	\$ 54,517
Accts Payable/Receivable	\$ 27,876	\$ 39,823
Payroll and Benefits Manager	\$ 32,148	\$ 45,926
Deputy Clerk Treasurer.....	\$ 28,971	\$ 41,387
COMMUNITY DEVELOPMENT		
Director	\$ 48,534	\$ 69,335
Communications and Program Coordinator	\$ 32,247	\$ 46,068
Secretary	\$ 24,359	\$ 34,798
ENGINEERING		
City Engineer	\$ 55,160	\$ 78,800
Assistant Engineer	\$ 44,862	\$ 64,088
Senior Engineering Technician	\$ 37,063	\$ 52,947
Engineering Technicians (3)	\$ 27,328	\$ 39,041
FIRE DEPARTMENT		
Master Mechanic (Civilian).....	\$ 31,423	\$ 44,890
Chief & Director of Emergency Management.....	\$ 55,160	\$ 78,800
Deputy Chief (2).....	\$ 38,535	\$ 55,050
Battalion Chiefs (4)	\$ 37,309	\$ 53,299
Investigator/Inspectors (2)	\$ 35,997	\$ 51,424
Captains (6)	\$ 35,997	\$ 51,424
Training Officer	\$ 35,997	\$ 51,424
Lieutenants (18)	\$ 34,844	\$ 49,778

Firefighters (60)	\$ 30,479	\$ 43,541
Fire Systems Operator	\$ 24,362	\$ 34,803
Records Clerk	\$ 24,362	\$ 34,803
HUMAN RESOURCES		
Director of Human Resources	\$ 48,534	\$ 69,335
Benefits Coordinator	\$ 26,161	\$ 37,373
HUMAN RIGHTS		
Director	\$ 48,534	\$ 69,335
Deputy Director	\$ 31,411	\$ 44,873
Secretary	\$ 24,359	\$ 34,798
INFORMATION SERVICES		
Asst Manager of Information Services	\$ 37,761	\$ 53,944
Technician	\$ 29,705	\$ 42,436
LEGAL DEPARTMENT		
City Attorney	\$ 55,160	\$ 78,800
MAYOR'S OFFICE		
Executive Secretary	\$ 26,527	\$ 37,896
METROPOLITAN PLANNING		
Manager.....	\$ 43,042	\$ 61,488
OPERATIONS AND FINANCE		
Director of Operations and Finance	\$ 52,656	\$ 75,222
Financial Analyst / Purchasing Manager	\$ 29,400	\$ 42,000
Admin Asst	\$ 23,649	\$ 33,784
PARK AND RECREATION		
Director of Parks & Recreation	\$ 57,723	\$ 82,461
Assistant Director of Parks & Rec	\$ 43,218	\$ 61,740
Director of Business Services	\$ 43,218	\$ 61,740
Administrative Assistant.....	\$ 31,137	\$ 44,481
Director of Park Operations	\$ 43,218	\$ 61,740
Park Maintenance Manager.....	\$ 38,290	\$ 54,701
Director of Sports Program and Athletic Facilities.....	\$ 43,218	\$ 61,740
Accounts Payable Specialist.....	\$ 24,359	\$ 34,798
Sports Coordinator.....	\$ 28,056	\$ 40,081
Director of Recreation	\$ 43,218	\$ 61,740
Secretary - Park Operations	\$ 24,359	\$ 34,798
Customer Service Specialist.....	\$ 24,359	\$ 34,798
Payroll/HR Specialist.....	\$ 24,359	\$ 34,798
Project & Resource Development Director.....	\$ 38,290	\$ 54,701
Recreation/CGC Program Manager.....	\$ 36,210	\$ 51,728
Marketing Coordinator	\$ 28,056	\$ 40,081
Aquatics Director.....	\$ 36,352	\$ 51,932
Project Planning Director.....	\$ 28,056	\$ 40,081
The Commons Manager.....	\$ 38,290	\$ 54,701
The Commons Administrative Asst	\$ 24,359	\$ 34,798
Parking Garage Administrator	\$ 24,359	\$ 34,798
Receptionist/Lead Secretary CGC/FFY.....	\$ 24,359	\$ 34,798
Hamilton Center Secretary.....	\$ 24,359	\$ 34,798
Hamilton Center Manager.....	\$ 27,987	\$ 39,982
POLICE PARKING METER OFFICE		
Administrative Specialist Supervisor	\$ 24,464	\$ 34,949
Meter Attendants (1)	\$ 21,733	\$ 31,047
PLANNING DEPARTMENT		
Director	\$ 52,832	\$ 75,474
Assistant Director	\$ 43,712	\$ 62,446
Senior Planner(2).....	\$ 34,720	\$ 49,600
Associate Planners (2)	\$ 29,179	\$ 41,684
Office Administrator	\$ 25,814	\$ 36,877

Enforcement Coordinator	\$ 31,524	\$ 45,035
POLICE DEPARTMENT		
Chief	\$ 45,308	\$ 64,726
Deputy Chief (1).....	\$ 40,076	\$ 57,251
Captains (2)	\$ 38,155	\$ 54,508
Public Safety Public Information Officer	\$ 36,586	\$ 52,266
Lieutenants (10)	\$ 36,586	\$ 52,266
Sergeants (15)	\$ 34,892	\$ 49,846
Patrol Officers (49)	\$ 31,490	\$ 44,985
Mechanic	\$ 28,425	\$ 40,607
Secretary - Chief	\$ 25,576	\$ 36,537
Administrative Specialist (4)	\$ 23,523	\$ 33,604
REDEVELOPMENT		
Director of Redevelopment	\$ 48,534	\$ 69,335
TRANSIT		
Coordinator	\$ 29,728	\$ 42,468
Operations Asst	\$ 25,428	\$ 36,325
TECHNOLOGY ADVISORY COMMITTEE		
Community Information Technology Executive....	\$ 49,237	\$ 70,338

SECTION II - HOURLY

That, and from after the First day of January, 2013, the following hourly employees of the City of Columbus, Indiana shall receive no more than the rate listed below the column named "MAXIMUM." The "ENTRY" column is entered as a guideline for a suggested beginning salary.

	ENTRY	MAXIMUM
ANIMAL CARE SERVICES CENTER		
Kennel Assistant	\$ 10.10	\$ 14.43
AVIATION		
Maintenance Laborer (2)	\$ 11.52	\$ 16.46
Part Time Laborers (4)	\$ 7.92	\$ 11.31
CITY GARAGE DEPARTMENT		
MVH:		
Operators (5)	\$ 12.84	\$ 18.34
Drivers (11)	\$ 12.23	\$ 17.46
Sanitation:		
Operator (4).....	\$ 12.84	\$ 18.34
Drivers (16)	\$ 12.23	\$ 17.46
Part Time Driver (5)	\$ 9.95	\$ 14.22
Shop and Garage:		
Mechanic	\$ 14.89	\$ 21.27
Mechanic's Assistant.....	\$ 12.84	\$ 18.34
Driver.....	\$ 12.23	\$ 17.46
Traffic:		
Drivers (4)	\$ 12.23	\$ 17.46
CITY HALL		
Building and Grounds Maintenance (2)	\$ 11.01	\$ 15.73
Custodian (2).....	\$ 10.38	\$ 14.83
COMMUNITY DEVELOPMENT		
Special Events Coordinator	\$ 9.44	\$ 13.48
PARK AND RECREATION - Full Time		
Athletic Facilities Assistant Team Leader.....	\$ 12.18	\$ 18.29
Assistant Head Custodian FFY.....	\$ 12.80	\$ 18.29
Mechanic (1).....	\$ 15.31	\$ 21.87
Assistant Mechanic	\$ 12.80	\$ 18.29
Maintenance Supervisor	\$ 16.72	\$ 23.89
General Operator	\$ 12.80	\$ 18.28
Head Custodian	\$ 13.70	\$ 19.57
Assistant Team Leader - Grounds (2)	\$ 12.80	\$ 18.29
Head Custodian FFY.....	\$ 13.70	\$ 19.57

Team Leader - Grounds.....	\$ 13.70	\$ 19.57
Athletic Facilities Supervisor	\$ 15.29	\$ 21.84
Athletic Facilities Laborer (2)	\$ 10.07	\$ 14.84
Team Leader	\$ 13.70	\$ 19.57
Laborer - Maintenance and Grounds (6)	\$ 10.07	\$ 14.84
Assistant Team Leader	\$ 12.80	\$ 18.29
Donner Custodian	\$ 10.07	\$ 14.84
Custodian - FFY (4).....	\$ 10.07	\$ 14.84
PARK AND RECREATION - Part Time & Seasonal		
Park Patrol (6)	\$ 9.01	\$ 15.43
Part Time Maintenance & Grounds Laborer (11)	\$ 7.25	\$ 10.91
Office Worker (3)	\$ 7.25	\$ 12.55
Landscape Mgmt. Interns (4)	\$ 7.25	\$ 10.91
Police Security (Off Duty)	\$ 31.67	\$ 45.24
Recreation Staff Member (50)	\$ 7.25	\$ 15.37
Donner Night Supervisor (8)	\$ 7.25	\$ 10.53
Donner Pool Guards (35)	\$ 7.25	\$ 13.56
Donner Center Part Time Custodian	\$ 7.25	\$ 10.91
Donner Pool Staff Member (50).....	\$ 7.25	\$ 21.65
Custodian - FFY.....	\$ 7.25	\$ 10.91
Marketing Coordinator.....	\$ 12.45	\$ 19.26
Secretary Park OPS.....	\$ 10.56	\$ 16.72
PARK AND RECREATION - NON REVERTING		
The Commons Maintenance Team Leader.....	\$ 13.30	\$ 19.58
The Commons Maintenance Asst. Team Leader.	\$ 12.42	\$ 18.29
The Commons Maintenance Labor (4).....	\$ 10.07	\$ 14.84
Hamilton Center Operations Manager	\$ 12.42	\$ 18.28
Hamilton Center Staff Member (PT) (35)	\$ 7.25	\$ 22.29
Customer Service Specialist.....	\$ 7.25	\$ 9.75
Athletic Facilities Laborer (FT) (2)	\$ 10.07	\$ 14.83
Parking Garage Maintenance Laborers (2)	\$ 10.07	\$ 14.83
Recreation Leaders (25)	\$ 7.25	\$ 15.37
Gymnastics Staff Members (20)	\$ 7.25	\$ 18.95
Sports Staff Members (50)	\$ 7.25	\$ 20.96
Concession/Batting Cage Attendants (PT) (12)....	\$ 7.25	\$ 13.17
PLANNING DEPARTMENT		
Office Assistant	\$ 9.44	\$ 13.49
POLICE DEPARTMENT		
Part-time Secretary.....	\$ -	\$ -
TRANSIT		
Bus Driver (15)	\$ 12.23	\$ 17.46
Mechanic	\$ 14.89	\$ 21.27
On-Call Driver (9)	\$ 12.23	\$ 17.46
Part-time Administrative (3)	\$ 8.79	\$ 12.55

SECTION III - OTHER PAYMENTS

The Following Maximum Expenditures shall be allowed in compliance with provisions of the City Personnel Policy as currently in force.

ANIMAL CARE SERVICES CENTER	
Overtime	\$ 9,382
AVIATION	
Overtime	\$ 3,994
CITY GARAGE DEPARTMENT	
MVH:	
Overtime	\$ 82,836
Sanitation:	
Overtime	\$ 73,537
Faithful Service	\$ 2,700
Shop and Garage:	
Overtime	\$ 13,042
Traffic:	
Overtime	\$ 20,994
Faithful Service	\$ 1,200

CITY HALL	
Overtime	\$ 4,152
ENGINEERING	
Faithful Service Pay	\$ 1,200
FIRE DEPARTMENT	
Scheduled Overtime	\$ 160,472
Unscheduled Overtime	\$ 145,528
Longevity (Per Policy)	\$ 415,204
Additional Service (Per Policy)	\$ 8,400
Holidays (Per Policy)	\$ 226,228
Uniforms (\$900 Per Person)	\$ 85,500
College Credit (Per Policy)	\$ 57,900
Hazmat Certification Pay	\$ 28,500
EMS Certification Pay	\$ 70,000
Military Service Pay	\$ 12,000
HUMAN RIGHTS	
Overtime	\$ 482
PARK AND RECREATION	
Overtime	\$ 63,667
Faithful Service Pay.....	\$ 4,600
POLICE DEPARTMENT	
Faithful Service	\$ 2,400
Overtime	\$ 164,536
Longevity (Per Policy)	\$ 240,549
Detective Incentive Pay (Per policy).....	\$ 20,400
Uniforms (\$900 Per Officer)	\$ 67,475
College Credit & Military Pay (Per Policy)	\$ 177,900
Shift Differential (5% & 10%)	\$ 138,800
Total Per Diem for School Guards	\$ 116,321
(max \$32.47 Per Guard Per Day)	
Uniforms (\$500 Per Parking Attendant)	\$ 500
Specialty Pay (\$1,000 per year):	
K-9	\$ 2,000
SWAT	\$ 13,000
Water Rescue	\$ 10,000
Bomb Technician	\$ 3,000
Specialty Pay (\$500 per year):	
FTO	\$ 6,000
Accident Reconstructionist	\$ 1,000
Polygraph Examiner	\$ 1,000
Negotiator	\$ 4,000
CSI	\$ 1,000
ILEA Instructor	\$ 11,500
Breath Test Operator	\$ 7,500
Bike Patrol	\$ 5,000
Drug Recognition Expert	\$ 1,000
Certified Fraud Examiner	\$ 500
D.A.R.E. Instructor	\$ 3,500
Honor Guard	\$ 4,000
TRANSIT DEPARTMENT	
Overtime	\$ 25,122
Faithful Service.....	\$ 2,700

PASSED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA on this the ____ day
of _____, 2012, by vote of ____ ayes and ____ nays.

Presiding Officer of the Common Council
of Columbus, Indiana

ATTEST:

Clerk of the Common Council of Columbus, Indiana

Presented by me to the Mayor of Columbus, Indiana, this _____ day of _____, 2012,
at _____ o'clock, ____M.

Clerk-Treasurer of the City of

Approved and signed by me this _____ day of _____, 2012, at _____ o'clock ____M.

Mayor of the City of Columbus, Indiana

Proposed changes for first reading on February 5, 2013:

Animal Care:

- Add General Manager Position
- Amend Manager Position to Enforcement Manager
- Reduce Officer number from 4 to 3

Fire Dept:

- Remove Public Information Officer Position

Police Dept:

- Add Public Safety Public Information Officer Position

Community Development:

- Increased hourly pay of Special Events Coordinator by 3%
(this position was overlooked in the 2013 increase)

ORDINANCE NO. __, 2013

**AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS
BETWEEN DEPARTMENTS FOR THE BUDGET YEAR 2013**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the Mayor to address certain personnel changes within the City which requires transfer of funds from certain departments to other departments; and

WHEREAS, it has been shown that certain existing appropriations have balances which will be available for transferring as follows:

CITY OF COLUMBUS GENERAL FUND:

FROM: Fire Department, Personal Services, 100
TO: Police Department, Personal Services, 100
SUM: \$65,361

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that a transfer of an appropriation from the Fire Department, Personal Services category to the Police Department Personal Services category in the amount of \$65,361 is hereby authorized.

BE IT FURTHER ORDAINED, that the above transfers shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this transfer of funds.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2013 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2013 at
_____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana